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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
TRANSCRIPT OF PROCEEDINGS

Local Public Hearing

February 25, 2014

Independence, Missouri

Volume VIII

In the Matter of the General Rate)
Increase Tariffs for Missouri Gas) File No.
Energy, A Division of Laclede Gas) GR-2014-0007
Company,)

KENNARD L. JONES, Presiding
SENIOR REGULATORY LAW JUDGE
WILLIAM P. KENNEY
STEPHEN M. STOLL
COMMISSIONERS

Reported by:
Janet H. Wimer, CCR

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APPEARANCES:

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Missouri Gas Energy

1 P R O C E E D I N G S

2 (Starting time of the Hearing: 6:30
3 p.m.)

4 JUDGE JONES: My name is Kennard Jones.
5 I'm the Regulatory Law Judge who will be presiding
6 over this rate case to its conclusion, meaning I
7 handle the procedure of it, I'll write Orders and
8 things for the Commissioners to vote on, and I'll
9 rule on objections and admit evidence, things that
10 a Judge would normally do.

11 To my right is the Chairman of the
12 Commission, Chairman Kenney and to my left is
13 Commissioner Stoll.

14 You've had a question and answer session
15 and I assume you've gotten all the answers to your
16 questions to your satisfaction. If you haven't,
17 there are people here who will still be able to
18 answer your questions.

19 At this point, though, we will be on the
20 record transcribing, as of now, everything that's
21 said. Some of you have signed up to make
22 statements on the record. That will be part of the
23 record, and the process that that will be, I'll
24 have you come up to this podium, I'll swear you in
25 as a witness, you'll make your statement and if

1 either of us have questions for you, we'll then
2 ask. If not, you'll be seated and the next person
3 will come up. After we get through the list, if
4 there's anyone else who would like to make a
5 statement on the record, I will ask at that time if
6 you'd like to come forward. Mr. Chairman, is there
7 anything you'd like to add?

8 COMMISSIONER KENNEY: Thank you everybody
9 for being here on a Tuesday evening. The fact that
10 you're here shows that you think that this is
11 important and as we think it is important as well.
12 We value and appreciate the testimony that you'll
13 provide and it becomes a part of the deliberative
14 process as we make a decision on MGE's request for
15 a rate increase. So, thank you for being here.

16 There are four sitting Commissioners and
17 only two of us were able to be here today, but you
18 shouldn't read anything negative into that. Those
19 other two Commissioners will have the opportunity
20 to read the transcribed testimony and they will be
21 able to take into account your comments as we
22 deliberate in the rate case.

23 I guess Judge Jones said you'll be sworn
24 in. The Court Reporter is transcribing your
25 comments and that will make your testimony become a

1 part of the record. So we appreciate the time that
2 you've taken to be here to provide valuable and
3 critical input into the process. Thank you for
4 being here and we look forward to hearing what you
5 have to say.

6 COMMISSIONER STOLL: I'll stand up for a
7 second. I know the podium is in the way for some.
8 I too want to thank you for coming out this
9 evening. This is an important part of the process
10 in this case.

11 We are having five public hearings over
12 the course of three days. This will be the fourth
13 in that series. And then we're also going to have
14 our weekly Agenda Meeting tomorrow morning here in
15 Kansas City. So with that, again, I welcome you
16 here this evening and look forward to your
17 comments.

18 JUDGE JONES: Okay, before we start
19 calling witnesses or persons to make a statement, I
20 just want to take entries of appearances from the
21 parties in this case, beginning with Missouri Gas
22 Energy.

23 MR. JACOBS: Todd Jacobs on behalf of
24 Missouri Gas Energy.

25 JUDGE JONES: And for the Office of the

1 Public Counsel?

2 MR. POSTON: Marc Poston for the Office
3 of Public Counsel.

4 JUDGE JONES: And for the Staff of the
5 Commission?

6 MR. BORGMEYER: John Borgmeyer for the
7 Staff of the Missouri Public Service Commission.

8 JUDGE JONES: And are there any other
9 parties present who would like to enter their
10 appearance? I don't see any hands, so let's get
11 started with the testimony. The first person on
12 the list is Bob Empson. Mr. Empson.

13 BOB EMPSON, duly affirmed by Judge
14 Jones, testified as follows:

15 MR. EMPSON: I've been a resident of
16 Independence since 1965, and I believe in 65, that
17 you could heat or cool your home, a small home, for
18 about a dollar day.

19 Anyway, I still believe that Missouri
20 Gas Energy operates like most other businesses.
21 They sell a product. If they don't make a profit
22 on this product, then they have to do something.
23 They either got to go out of business or they've
24 got to raise the price of the product.

25 Well, in turn, we've been told how to

1 save energy. So they tell us to insulate, caulk
2 over the cracks, install insulated windows, you
3 know, turn the thermostat down, buy energy
4 efficient appliances. Well, most of us have done
5 some of that, or maybe all of that, and it costs a
6 lot of money for people to do that.

7 So when we did that, consequently,
8 Missouri Gas Energy didn't sell enough product to
9 pay the bills, because their bills went on, the
10 same bills that they paid ten years ago or five
11 years ago for whatever business equipment they
12 have, buildings, or whatever. Anyway, this seems
13 to be a vicious circle. We save the energy that we
14 were supposed to save, but they didn't sell enough
15 product, so they raised their price to the hand
16 that's feeding them.

17 Now, it looks to me like that if we
18 became really efficient on the use of natural gas,
19 who knows what the price might be. So, I would
20 like to know what Missouri Gas Energy has done to
21 cut costs so they wouldn't have to hand it back to
22 us, at least all of it. Thank you.

23 COMMISSIONER STOLL: Thank you for your
24 testimony, Mr. Empson.

25 JUDGE JONES: Thank you, sir. Next

1 listed is Wanae Glasco.

2 MS. GLASCO: Can I use the microphone
3 that's up there for this?

4 JUDGE JONES: Did I pronounce your name
5 correctly?

6 MS. GLASCO: Yes.

7 WANAE GLASCO, duly affirmed by Judge
8 Jones, testified as follows:

9 MS. GLASCO: My opinion is that I do
10 understand that this being a private sector company
11 and the infrastructure and the costs of having the
12 increases and stuff, the amount is a little bit too
13 high for Missouri residents, you know, and
14 especially Missouri residents that are on a fixed
15 income.

16 We're talking about \$24 million a month.
17 That's a big number. Maybe if they could come down
18 with the numbers a little bit less than what they
19 wanted to charge us, because the increase for
20 people that are living on a fixed income of an
21 additional \$20 a month is kind of hard for people
22 to do. They have to make a decision that maybe
23 they might have to change things, maybe not get
24 their medicine, maybe not buy no groceries. But
25 they have to gas to heat their home and if they

1 can't get around, they have to have the gas
2 services.

3 So as Commissioners and Judges, I mean
4 all this has to be taken a look at, for the fact of
5 the Missouri residents, you know. I don't feel
6 that we should be charged this amount of money on a
7 monthly basis, which is 24 million more dollars a
8 month for the Laclede Gas Company for their
9 services. Thank you.

10 COMMISSIONER STOLL: Thank you for your
11 testimony.

12 JUDGE JONES: Thank you, Ms. Glasco.
13 George Hickman.

14 GEORGE HICKMAN, duly affirmed by Judge
15 Jones, testified as follows:

16 MR. HICKMAN: First of all, I'm retired
17 from KPL Gas Service. And the gas company used to
18 be a service company. They did all sorts of
19 service for their customers. That's not true
20 anymore. When I worked, we made house calls. We
21 took care of furnaces, water heaters. In the later
22 years, there was a minimum charge, but no one
23 complained about that.

24 Now, there's no service anymore. We
25 don't get we're like the gas station. We get no

1 service from the gas company. It's kind of a shame
2 that they want a rate increase but we don't get
3 anything for our money.

4 Besides that, we used to have meter
5 readers that could come around and read the - read
6 meters. That's not true anymore. You've got a
7 truck that runs up and down the street and it takes
8 the place of, you know, these individual meter
9 readers. No service, no meter readers, and I know
10 for a fact that just lately, that they laid off a
11 number of people. So I just think their rate
12 increases are just unfair.

13 COMMISSIONER STOLL: Thank you for your
14 testimony.

15 JUDGE JONES: Thank you, Mr. Hickman.
16 Herman Bankhead. Mr. Bankhead?

17 MR. BANKHEAD: Right here. I'm trying to
18 see if I want to pass.

19 JUDGE JONES: You can wait and I'll come
20 back to you.

21 MR. BANKHEAD: Yeah, my question I don't
22 think should be asked now.

23 JUDGE JONES: Roger Stoltzfus.

24 MR. STOLTZFUS: That's close enough.

25 ROGER STOLTZFUS, duly affirmed by Judge

1 Jones, testified as follows:

2 JUDGE JONES: Can you spell your last
3 name for the Court Reporter?

4 MR. STOLTZFUS: S-T-O-L-T-Z-F-U-S.

5 JUDGE JONES: Thank you.

6 MR. STOLTZFUS: And you've got to ask for
7 the spelling, so you can look it up in case you
8 don't like what I say. I brought it up earlier
9 about the increase during the five winter months.
10 And it was mentioned about that time that
11 electricity-

12 PUBLIC: We can't hear.

13 MR. STOLTZFUS: There we go. It doesn't
14 work like any mike that I've used. It was brought
15 up that electricity usage was up in the summertime,
16 so people were paying more then and less in the
17 winter, and that people use more gas in the winter.
18 Now, my electric bill is more in the winter than it
19 is in the summer. Now, I don't have my air
20 conditioning running when I'm not home, no, and I
21 know a lot of other people that are in the same
22 situation. But then I know people where their
23 electric bill is more in the summer. So on the
24 average, it's kind of a wash, so let's just say it
25 evens out.

1 But you are raising the base cost by
2 about 50 percent for five months during the winter,
3 and there are people on fixed incomes, retired
4 people, people that are on low incomes, that are
5 already, without that increase, going without heat,
6 over the summer without air conditioning. And if
7 that's the case, there's just going to be that many
8 more people that are on a fixed income or low
9 income that can't pay, that are going to be going
10 without heat in the wintertime or not going to be
11 able to take a hot bath or a shower, and I think
12 this should be reconsidered.

13 Another thing, and this came from
14 Laclede website, the investor's portion of it,
15 Laclede expects the acquisition of Missouri Gas
16 Energy to be assertive to its 2014 net earnings per
17 share. The MGE acquisition will increase Laclede's
18 earnings, continuing to support the dividends.
19 Well, the dividends are paid to people who can
20 afford to buy the stock in Laclede, people who can
21 afford to pay their gas bill or their electric
22 bill, whatever it is, and they're probably getting
23 enough dividends, in most cases, to pay for it for
24 all winter just from their dividends.

25 Not everybody is like that. This is

1 going to be a hardship on a lot of people, and I
2 fall back to another question I asked earlier. I
3 can somewhat understand the increase on the tax,
4 with the gas coming from another state and the
5 other state imposing a tax, which I don't think
6 would be that fair. They shouldn't be able to
7 increase it. If at all, it should be uniform
8 throughout the country, but I'm not a Senator or a
9 Congressman, so, but the point that I'm getting
10 away from is that well, it's what I mentioned
11 earlier.

12 The gas service company was aware that
13 all along since inception, there was going to be
14 infrastructure costs. Why haven't they put enough
15 money aside in retained earnings or a special fund
16 of some sort to account for that, rather than keep
17 raising prices? And why don't they if they don't
18 have the money there in retained earnings, why
19 don't they issue revenue bonds and take it out of
20 future earnings? They're making enough money to do
21 that and they're basically a monopoly and they have
22 should have a public service commitment to the
23 people they provide service to. And that's
24 basically all I have to say.

25 JUDGE JONES: Just a minute, Mr.

1 Stoltzfus.

2 COMMISSIONER KENNEY: Mr. Stoltzfus did
3 I pronounce it correctly? Stoltzfus? Thanks for
4 coming. You asked a question just now about the
5 fixed costs being raised during the wintertime.
6 Did you ask that question during the question and
7 answer period?

8 MR. STOLTZFUS: Yes.

9 COMMISSIONER KENNEY: Do you feel like
10 your question was adequately answered as to why
11 they were proposing that?

12 MR. STOLTZFUS: No.

13 COMMISSIONER KENNEY: And I'll say this
14 and I won't say it to everybody that comes up.
15 I'll say it to you and everybody else in here. If
16 there are questions that you had that you don't
17 feel sufficiently answered, I would encourage you
18 to take the time to maybe have a one on one
19 conversation with either Office of Public Counsel
20 or our Staff or, more importantly, representatives
21 from the company, because it's a valid question and
22 we would want that you would go away from here more
23 informed than when you came, and if you don't feel
24 like you got a question answered adequately, please
25 take some time to talk to one of the company

1 representatives.

2 MR. STOLTZFUS: Well, that particular
3 question, I don't think they're going to be able to
4 answer adequately. They're selling more gas in the
5 wintertime, those five months that they're talking
6 about, and they should be able to produce it for a
7 lower amount than they do during the summertime.
8 And they shouldn't be charging people who can't
9 afford it, on fixed incomes or low incomes, or a
10 lot of people are not even working right now
11 because of the economy. They're going to be going
12 without heat and without hot water. So that
13 particular portion of it can't be answered.

14 And as far as the retained earnings
15 portion I asked, that wasn't answered at all. It
16 was kind of skipped over.

17 COMMISSIONER KENNEY: But you might have
18 better luck one on one if you're inclined to ask
19 again, but thanks for coming out. We do appreciate
20 you taking the time.

21 JUDGE JONES: Next listed is Penny
22 Binger.

23 PENNY BINGER, duly affirmed by Judge
24 Jones, testified as follows:

25 MS. BINGER: One of my main statements

1 is, is any other business out there who has a lot
2 of costs going out for repairs, it comes out of
3 their profits. And we looked on the internet at, I
4 guess, it's Laclede for their net economic earnings
5 for 2013. It was \$65 million. It was increased by
6 3.8 percent from the prior year's profits. Why are
7 we not using these profits to pay for the extra
8 costs instead of asking the people who are getting
9 pay cuts? I just got a 2 and a half percent pay
10 cut.

11 There's people out here that are on a
12 fixed income. They can barely make it. And they
13 won't take some of this out of their \$65 million
14 profit to eat the costs and they're asking the
15 taxpayers, who are being taxed, and keep paying the
16 costs for businesses to make more and more profit?

17 I personally think that it should be a
18 non for profit, when you cannot go out and search
19 and get your product from somebody else. I'm
20 stuck. I have to use Missouri Gas Energy, and the
21 way that things go now, all they have to do is come
22 and say, "We want a pay increase," and they get a
23 pay increase.

24 I can remember it's probably been in the
25 last ten years, it went from \$4 and something per

1 month and now I'm up to \$26 per month on this
2 customer service fee and you want to add more to
3 it? When is it going to stop? Nobody else is
4 getting any more money. Everybody is asking for
5 more money so they can make more profit, and the
6 bottom line is they've got a lot of profit that
7 they could use some of that out of there to try to
8 eat some of these costs.

9 JUDGE JONES: Thank you. Don Somers.

10 DON SOMERS, duly affirmed by Judge
11 Jones, testified as follows:

12 MR. SOMERS: I have a small business
13 located here in Independence and I also have a home
14 here. I will have been in business, if I can make
15 it that long, 20 years at the end of June.

16 First of all, the gentlemen that was
17 asking questions I never did get to ask one he
18 made a statement about that, I believe if I heard
19 him right, he said that the cost of your gas bill
20 today is less than it was ten years ago. I'd like
21 to argue that point. I think that's a bunch of BS.

22 The cost of gas, that's one thing. It
23 probably is less than it was ten years ago. But
24 the bill, itself I've got five months in a row
25 here for my business, and there was a lady back

1 there I think she left she had the opinion, I
2 think, that why stick it to us as individuals when
3 we could stick it to the businesses, I think was in
4 her question. Well, I'd submit to you that, owning
5 both, they stick it to a business worse. I've got
6 five months of bills right here. The cost of gas
7 is \$1.70 for a total of \$8.50. The total of those
8 five bills that I paid, and this is paying them
9 early, no penalty, \$249.02. Enough is enough. How
10 much greed can there be? I'm paying \$39.26 for a
11 \$1.70 worth of gas.

12 Now, would you like to go to the grocery
13 store, get a \$1.70 worth of groceries, and the man
14 tell you you owed him \$49.81? I don't think so.
15 But that's the bills. So I think enough is enough.

16 And they keep talking about the cost of
17 the gas. I think that last rate increase, they
18 sent a letter and they'd tell you the cost of gas
19 was, I thought it was 70 or 75 percent of your
20 bill. And the only thing that I had saved was my
21 last two or three months' bills, and I physically
22 ran a copy of them, did the percentages, and mailed
23 them to you guys. Obviously, it did no good
24 because they got their rate increase, but I mean,
25 enough is enough. I've had it up to here.

1 Unfortunately, my business is a medical
2 transcription business, which I think we know which
3 way that's going. There's not many buggy whips
4 around today. I used to have 60 people working for
5 me. I have less than 20, including full and part
6 time people.

7 I've decreased the cost of my lease. I
8 own the building with an LLC, lease it to my
9 business. I've decreased that cost 75 percent to
10 keep the doors open, to keep people employed. I
11 don't where to go.

12 When the man stands up there and tells
13 you your gas bill is less than it was ten years
14 ago, it's not true. It's not true. The cost of
15 gas is less, but what, a year or go or less the
16 cost of gas was \$1.80 a cubic or whatever they sell
17 it and right now it's over \$5, so as soon as we get
18 this rate increase, then we'll get ready for the
19 rate increase for the cost of gas.

20 And nobody's talked about JJ's. We've
21 talked about insurance. I hope the man that's
22 working for them that goes in JJ's that smells gas
23 and don't tell somebody to turn the damn gas off, I
24 hope he's not working for them. That's probably
25 why their insurance is so high. That's about all I

1 got to say.

2 JUDGE JONES: Thank you. Georgia Myers.

3 GEORGIA MYERS, duly affirmed by Judge
4 Jones, testified as follows:

5 MS. MYERS: My name is Georgia and my
6 husband and I have been married almost seven years
7 now. And over those seven years, we have
8 definitely had our ups and downs, but we were
9 finally able to work hard enough to buy our first
10 house last year.

11 This winter, we have had our thermostat
12 set at 63 degrees almost the entire winter, which I
13 realize is a lot warmer than some people that are a
14 little bit less fortunate than us have been able to
15 have. However, we also have almost every single
16 vent in our house closed. We opened the vents that
17 are or we open up the vents for the rooms that
18 we're in, and, even then, we tend to take a robe
19 with us, just to try to say warm.

20 I'm paying 26 and some change right now,
21 over the winter months, and it's going to go up to
22 \$40 over the winter months to me because I can
23 hardly afford to pay my gas bill as it is. And
24 they're saying, you know, on average, it's only
25 going to be \$2 and some change.

1 I talked to a gentleman tonight and he
2 informed me that more than 10 percent of that is
3 going to go towards bonuses. Why am I paying more
4 money than what is already being paid to go toward
5 bonuses? I mean, they already have funds for that;
6 don't they? People are already getting bonuses.
7 Why should I have to pay even more for that?
8 That's all I have to say.

9 JUDGE JONES: Thank you. Allie Robbins.

10 ALLIE ROBBINS, duly affirmed by Judge
11 Jones, testified as follows:

12 MS. ROBBINS: I agree with most all of
13 the people that have been up here this evening with
14 the questionable about the rate increase. I am
15 on a fixed income. My Social Security certainly
16 does not go up nor even come close to what these
17 increases are. And the last increase that Missouri
18 Gas Service received was supposed to be for the
19 infrastructure and that's what they want this one
20 for.

21 So as the gentleman earlier said, where
22 are they putting their monies to repair facilities
23 down the line? Those of us who are homeowners and
24 those of us who are business owners, we have to set
25 money aside each time or all the time for our

1 repairs to accommodate those. Why haven't they?

2 I don't have anybody that I can pass
3 this increase on down to. I'm an individual and
4 you could say that the buck stops with me because I
5 don't have anybody to give it on to.

6 JUDGE JONES: Thank you.

7 COMMISSIONER KENNEY: Thank you for your
8 testimony.

9 JUDGE JONES: Richard Thompson.

10 RICHARD THOMPSON, duly affirmed by Judge
11 Jones, testified as follows:

12 MR. THOMPSON: I certainly would like to
13 say that I'm please to be on Missouri Gas Energy
14 because we were on propane for about 40 years, so
15 we're please to be on it.

16 However, I do have some things I guess
17 would complain, first of all, about your
18 advertising agency, the money spent there, to come
19 up with a straight fixed variable rate. That's the
20 most double speak I mean, why not say, "I'm going
21 to raise you \$3.20 a month," and be done with it.
22 I think you paid your ad people too much.

23 Secondly, your information on this
24 letter is incorrect. I don't appreciate false and
25 misleading information. It says \$26.88 per month

1 for a residence. I have two residences. I have a
2 home and I have a small guest home. I pay 26.88
3 for one, I pay 39 something for the other. It's a
4 residence. It's not commercial, it's a residence.
5 And yet your letter says residents pay \$26.88.

6 That's not correct. I have the bills to prove it.

7 Thirdly, and lastly, the part about the
8 infrastructure. This past year, the home received
9 a new gas line, where they moved the meter to the
10 house. They were very courteous. The scheduling
11 was great and I went up to see what happened. I
12 stood there while they did the project. They
13 worked fairly efficient in speed. However, there
14 was a supervisor who stood and watched. His
15 supervisor came out and watched him, and there were
16 three laborers and two of them stood and watched
17 while one man did the work.

18 Now, ultimately, the gas company is
19 responsible for managing their contractors. I know
20 they put it out on bid to probably the cheapest
21 bid. But it doesn't take two supervisors and two
22 people watching when there's one man working.
23 Surely, the gas company can supervise their
24 contractors better than that. Thank you,
25 gentlemen.

1 COMMISSIONER KENNEY: Thank you.

2 PATRICIA SCOTT, duly affirmed by Judge
3 Jones, testified as follows:

4 MS. SCOTT: I'm Patricia Scott and I am
5 72 years old. I have to work half a day to be able
6 to support my husband and I. Our income is not
7 that high. We're on a fixed income. So here I'm
8 working, trying to pay a bill, where everything I'm
9 hearing, it's very, very much too high.

10 The big profit they've been showing, 68
11 million in 2012 and 2013, that's a lot of profit,
12 while they keep raising ours, people that can't
13 afford it. I don't know what I'm going to do with
14 a bill that keeps going up more because it's awful
15 hard to pay now. My total bill is 160, not \$2.

16 COMMISSIONER KENNEY: Thank you for your
17 testimony.

18 JUDGE JONES: Renee Gimick? Is there
19 anyone named Renee? Lee Meyer?

20 LEE MEYER, duly affirmed by Judge Jones,
21 testified as follows:

22 MR. MEYER: My full name is Jule Meyer.
23 That's what you've got on your record is Jule.
24 I've lived in Independence since 1968, in the same
25 house, and have done everything in my power to cut

1 costs, new windows, etcetera.

2 PUBLIC: We can't hear.

3 MR. MEYER: Between IPL and you guys, and
4 I know you're not concerned about IPL, but they,
5 over the last five years have raised their rates 25
6 percent. You guys are wanting to raise 12 percent,
7 correct? So that's 37 percent that I and the rest
8 of these people here have to pay.

9 I retired in 89 with what I though was
10 a decent pension and have not had a raise since
11 then and don't expect one. So I'm like probably 60
12 or 70 percent of these people in here who are on a
13 fixed income and yet, you people have no problem
14 raising 10, 15, 12 percent.

15 I think one of you said you had your
16 last raise in February of 2010. Prior to that,
17 with that raise, there was a .091.7 percent raise.
18 This raise would be 12 percent. That's quite a
19 raise.

20 This, you probably will not want to
21 answer, but have you been giving your employees a
22 raise every year and if so, how much? Because we
23 are all on a fixed income. I have one more thing.
24 I'm sure your CEO got a nice raise and we're paying
25 for that. I guess that's about it. Thank you,

1 gentlemen.

2 JUDGE JONES: Thank you, Mr. Meyer.

3 COMMISSIONER KENNEY: Mr. Meyer, thank
4 you for your testimony. I'll just make a couple
5 points. If you have specific questions about the
6 company and what it's doing with its money, there
7 are folks that will be prepared to answer those
8 questions for you.

9 And this is for you and for everybody
10 else. We are not the company. We are members of
11 the Missouri Public Service Commission, who will
12 make a decision regarding the company's request for
13 a rate increase, so I just wanted to make sure that
14 everybody was aware of that.

15 So we don't have a CEO and we don't have
16 employees that we're giving raises to. But to the
17 extent that you have questions that you feel like
18 didn't get answered during the question and answer
19 period, there are representatives from the company
20 that would be happy to talk with you.

21 MR. MEYER: Well, I apologize for the
22 directness-

23 COMMISSIONER KENNEY: You don't have to
24 apologize.

25 MR. MEYER: A 37 percent raise on

1 utilities is almost impossible to pay. You have
2 nothing to do with power and light. Thank you.

3 JUDGE JONES: Thank you for your
4 testimony. Joe Athenas.

5 JOE ATHENAS, duly affirmed by Judge
6 Jones, testified as follows:

7 MR. ATHENAS: There's going to be raise,
8 some type of a raise. I think I already made it
9 clear that I thought 12 was a little too much, you
10 know, mentioning other income-

11 PUBLIC: We can't hear you.

12 MR. ATHENAS: I thought that 12 was a
13 little too much, but there's going to be some type
14 of increase and I would implore the panel to
15 readjust this to let's just say they got the
16 entire raise, to where it was a fixed monthly
17 amount, rather than higher in the winter, lower in
18 the summer, because a lot of people can't, you
19 know, figure out a budget filling their car up for
20 a week. And it doesn't mean they don't have the
21 money, they just don't budget it right.

22 So if you come into the winter and
23 suddenly a Social Security recipient jumps to \$40
24 plus, that was paying 22.86, or something I
25 forgot what the literature said exactly. Now, it's

1 going to get hard for them to get that whole thing
2 paid and in fact, might cause defaults on some
3 people's payments, which isn't good for the company
4 and the people they employ or the State of Missouri
5 because then, we're all of a sudden trying to
6 figure out how to get aid so that they can get
7 heat.

8 So I would like to see a uniform payment
9 every month versus the staggered cost. That's
10 really all I have.

11 JUDGE JONES: Okay, thank you, sir.
12 Marie Shineman.

13 MS. SHINEMAN: He just basically gave my
14 opinion also.

15 JUDGE JONES: Okay. I think it's D.L.J.
16 Farris.

17 MR. FARRIS: I'm going to let my cousin
18 be my spokesman, Dennis Tomlin.

19 JUDGE JONES: He can come up to the
20 podium.

21 DENNIS TOMLIN, duly affirmed by Judge
22 Jones, testified as follows:

23 JUDGE JONES: Can you please state and
24 spell your name for the Court Reporter.

25 MR. TOMLIN: Dennis Tomlin, T-O-M-L-I-N.

1 JUDGE JONES: Thank you, sir, you may
2 proceed.

3 MR. TOMLIN: The proposed increase from
4 26.88 to 40.95, what's in my letter, this is a 52
5 percent increase and I think it's totally excessive
6 and unreasonable.

7 I think that you need to take a look at
8 the MGE structure and how they're using their
9 money. Why can't part of their profits be covering
10 some of these costs, rather than adding an
11 excessive amount of costs to residential
12 homeowners? Also, what is the volume of gas used
13 by residential customers and what is the volume of
14 gas used by commercial customers? Are commercial
15 customers using two or three times as much as
16 residential? Maybe this ought to be looked at also
17 and come into the equation. Maybe there should be
18 a demand cost on natural gas, such as is used in
19 electricity for commercial customers.

20 Another question would be on the
21 hierarchy for Missouri Gas Energy. Are these
22 gentlemen making excessive salaries, such that
23 that's part of the reason for these costs going up?
24 Also, bonuses. Are bonuses being given to people
25 that some people deserve a bonus for doing

1 several things and improving their job and
2 efficiency, but to give out excessive bonuses is
3 totally unreasonable. That's all I have.

4 JUDGE JONES: Troy Leland.

5 TROY LELAND, duly affirmed by Judge
6 Jones, testified as follows:

7 MR. LELAND: My comments, I guess, fall
8 along the lines of some things that have already
9 been said and I don't know where I would fall in
10 the spectrum of regular customers.

11 I went back and - I kept the records of
12 what I have and I went back through 2011 and 2012
13 and there were certain months where the customer
14 charge was 56 to 61 percent of the bill that I was
15 paying.

16 I walk kind of tightrope in making these
17 comments because I believe in the free market. I
18 believe in a business's ability to set its prices.
19 I believe in abilities you know, if a company
20 decides to give a certain bonus, I believe that
21 that should be up to the company to make that
22 decision. I find with MGE, though, it's a little
23 bit different situation, because my understanding
24 is that they are basically functioning as a
25 monopoly under the oversight of the Commission. To

1 me, that is a very different situation.

2 If I am frustrated with the prices at
3 Walmart, that we pay at Walmart, then I can go to a
4 K-Mart or Target. I can go to a competitor. There
5 is no real competitor even allowed in the case of
6 MGE and so as some of the people who have already
7 spoken have stated, whatever rate they decide to
8 charge, the end customer has no choice. They have
9 no recourse to go anywhere else. And so that is
10 part of my main frustration in this.

11 Another gentlemen who had already spoken
12 talked about the idea that if the company is unable
13 to sell a product, they either go out of business
14 or they have to change. In this case, the end
15 customer is not paying for that gas product. I
16 understand that there are costs that have to be
17 paid for. I understand that there are other things
18 that have to be paid for. Other companies pay for
19 those costs by building it into the cost of the
20 product that they sell and then the consumer makes
21 a decision on that.

22 I bring that up simply because in my
23 situation, I am probably on the very lower
24 spectrum. Some of these individuals pointed out
25 how little gas they used. There was several months

1 where the cost of my gas I think one of my
2 lowest, I had \$12.21 for the gas that I used. I
3 have a furnace and I have a hot water heater that
4 runs on natural gas. I also use a natural gas
5 stove. That was in the summer months when we had
6 that. But our income is to the point where that
7 customer charge really becomes a serious issue for
8 us.

9 Again, like I said, I walk a tightrope
10 here because I believe in the free market
11 enterprise. I am very hesitant to tell a company
12 how it can and cannot run its business. But the
13 situation that the position that MGE is in, as a
14 monopoly, does make it a very different entity than
15 you would find in other free market settings. And
16 that is one of the things that I was concerned
17 about.

18 I also was concerned about the fact that
19 the split in the customer cost. It is a struggle
20 to make the payments in the winter months. It is
21 hard to do that. And to have now I don't know
22 who decided to split it the way they split it, but
23 in the months where we are already paying the most
24 for a product, to say that now we are going to pay
25 even more for this additional customer charge, I

1 don't know. To me, it does not make sense. It
2 does, as some have already pointed out, add a
3 hardship in the months where it is already even
4 more difficult for individuals.

5 And so I would echo what one gentleman
6 has already said, if the Commission does decide
7 that they are deserving of this raise, I would
8 definitely urge you to consider that it not be
9 split in the way that it is, that it be a flat
10 customer charge across the board, because that I
11 speak from experience it is a hardship in the
12 winter months to pay the bills and to then have in
13 the winter months an additional charge that goes
14 like that, is just additionally it's difficult.

15 And it goes back to no other company
16 operates like this. MGE has a special position.
17 If it were another company, I would have gone other
18 places, but I don't have that opportunity. I
19 cannot operate in the free market with MGE, so
20 that's why I think that it should be treated
21 differently. Thank you.

22 JUDGE JONES: Thank you. There were a
23 couple of people who chose not to testify. At this
24 point, we've gone through the list. Did you want
25 to speak?

1 MR. SOMERS: I've got a couple more do
2 I need to come back there?

3 JUDGE JONES: Yes. You have a couple of
4 statements or questions?

5 MR. SOMERS: Statements.

6 JUDGE JONES: You remain under oath. Go
7 right ahead.

8 COURT REPORTER: I'm sorry, I can't
9 remember your name. What's your name, again?

10 MR. SOMERS: Don Somers, S-O- E-R-S.

11 COURT REPORTER: Thank you.

12 MR. SOMERS: I'd like to agree with the
13 gentleman about the straight fixed variable rate
14 design. That's some weird talk there.

15 I'd like to thank you guys as our last
16 go between, and I wanted to say Laclede, I think
17 the gentleman said, gave \$975 million to give MGE,
18 so they evidently thought it was making plenty of
19 money when they bought it and within just a very
20 months asked for a rate increase. That was the one
21 thing I forgot to say earlier, so I just wanted to
22 say that.

23 In other words, I'm just saying I think
24 Laclede thought they were making plenty of money,
25 but, of course, the more is always merrier, and I

1 wanted to bring that up. I thought I had something
2 else, but I don't remember what it was. I believe
3 that's it. Thank you.

4 JUDGE JONES: Thank you, Mr. Somers.

5 COMMISSIONER KENNEY: Thank you.

6 JUDGE JONES: I saw a hand right in here.

7 PEGGY MORALES, duly affirmed by Judge
8 Jones, testified as follows:

9 JUDGE JONES: Can you state and spell
10 your name for the Court Reporter. You may want to
11 use the microphone.

12 MS. MORALES: P-E-G-G-Y, M-O-R-A-L-E-S.
13 I just want to say that several years ago when the
14 country started all of this free fall downhill,
15 that our country bailed out the banks. At that
16 time, I coined a phrase that is not very becoming
17 of a lady, and I think I'm a lady, but I called all
18 of the banks the greedy bastards, which I still
19 call a lot of people that today. I don't want to
20 call you all guys that yet.

21 I drive a 1998 car. There's probably
22 not too many cars that old in the gas company. I
23 have a hard time paying my bill. I'm 75 years old
24 and I took an extra job I took a part time job
25 just to keep up with the greedy bastards. Don't be
a greedy bastard. Thank you.

JUDGE JONES: Thank you.

COMMISSIONER KENNEY: Thank you.

JUDGE JONES: Is there anyone else here
hasn't spoken who would like to? Okay, I see a
hand in the center aisle? Yes, sir.

DANNY GILLETTE, duly affirmed by Judge
Jones, testified as follows:

JUDGE JONES: Can you state and spell
your name for the Court Reporter.

MR. GILLETTE: Danny Gillette,

1 G-I-L-L-E-T-T-E. I appreciate this opportunity to
2 speak and I appreciate you gentlemen's position in
3 deciding how this request will be made. I just
4 would hope that you can take into consideration
5 that we operate in an era right now of company
6 greed. And I'm not saying any one company, but
7 generally, we operate in an era now of company
8 greed where we have all heard of the hierarchy's
9 outrageous profits and take home money. And as
10 individuals, we can improve our bottom line by
11 tightening our belt and I haven't heard anything
12 about how that can be done.

12 I am in the construction business,
13 myself, and I see a lot of what I consider waste.
14 And that is one way that we can improve our bottom
15 line and take that money and put it to other uses,
16 other costs that are increased, increases and
17 things along that line.

18 I just would hope that you gentlemen can
19 take some of that into consideration as you make
20 your decision. Thank you.

21 JUDGE JONES: Thank you, Mr. Gillette.

22 COMMISSIONER KENNEY: Thank you.

23 JUDGE JONES: Is there anyone else who
24 would like to make a statement here? I don't see
25 any hands. I thank you all for coming out and with
that, we will go off the record.

1 (WHEREIN, the Hearing is concluded at
2 7:20 p.m.)

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CERTIFICATE OF REPORTER

STATE OF MISSOURI) ss
COUNTY OF CLAY)

I, JANET H. WIMER, Certified Court Reporter, the officer before whom the foregoing hearing was taken, do hereby certify that the testimony in said hearing 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 hearing 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.

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