

1 STATE OF MISSOURI  
2 PUBLIC SERVICE COMMISSION  
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4 TRANSCRIPT OF PROCEEDINGS  
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6 Local Public Hearing  
7  
8 June 1, 2010  
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12 Business Administration Building, Room 105  
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23 In the Matter of Laclede Gas )  
24 Company's Tariff to Increase )  
25 Its Annual Revenues ) File GR-2010-0171  
For Natural Gas Service )

16 MORRIS L. WOODRUFF, Presiding  
17 CHIEF REGULATORY LAW JUDGE  
18 KEVIN GUNN, COMMISSIONER  
19 ROBERT KENNEY, COMMISSIONER  
20  
21  
22

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

2 (June 1, 2010, 6:20 p.m.)

3 JUDGE WOODRUFF: Good evening,  
4 everyone. Welcome to the local public hearing. Okay.

5 Well, good evening everyone. I hope you can  
6 hear me now over the loud speaker system. My name is  
7 Morris Woodruff. I am the regulatory judge for this case  
8 for the Public Service Commission, and we're here for a  
9 local public hearing regarding Laclede Gas Company's  
10 request for a rate increase, and this is File No.  
11 GR-2010-0171.

12 Let me start out tonight by introducing the  
13 Commissioners here who are here with me tonight. On my  
14 right is Commissioner Kevin Gunn.

15 COMMISSIONER GUNN: I want to thank  
16 everybody for coming out tonight. We look forward to  
17 hearing what you have to say.

18 JUDGE WOODRUFF: And on my left is  
19 Commissioner Robert Kennedy.

20 COMMISSIONER KENNEDY: Thank you all  
21 for coming out, and we look forward to hearing you  
22 participate in the process.

23 JUDGE WOODRUFF: What I'm going to have  
24 you do is come up -- I've got a list of people who have  
25 signed up here to testify. I'll go down the list and ask

1 -- call you up here to testify, and then I'll give -- if  
2 you haven't had a chance to sign the list, I'll -- at the  
3 end of the hearing, I'll ask for other people who want to  
4 testify also. So if you haven't signed up, it's okay.

5 Before we call the first witness, I'll take  
6 entries of appearance from the attorneys who are here.  
7 First of all, for the Company.

8 MR. PENDERGAST: Michael Pendergast and  
9 Rick Zucker appearing on behalf of Laclede Gas Company.  
10 Our business address is 720 Olive Street, St. Louis,  
11 Missouri 63101.

12 JUDGE WOODRUFF: For the staff and  
13 Commission.

14 MS. SLACK: My name is Annette Slack.  
15 I'm Chief Litigation Counsel for the Public Service  
16 Commission.

17 JUDGE WOODRUFF: And for Public  
18 Counsel?

19 MR. POSTON: Thank you. Marc Poston  
20 appearing for the Office of Public Service.

21 JUDGE WOODRUFF: Any other parties here  
22 represented? I don't see anyone else. So we'll call the  
23 first witness, and that would be Doris Polling. Okay. Is  
24 Ms. Polling here? All right.

25 Moving on then, the next name is Jackie

1 Poston.

2 MS. POSTON: I don't have any  
3 questions.

4 JUDGE WOODRUFF: Mary Hall.

5 MS. HALL: I'd ask questions. Are you  
6 asking for testimony?

7 JUDGE WOODRUFF: That's what I'm asking  
8 for. Yes. You don't have to if you don't want to.

9 MS. HALL: Well, that's not it. I had  
10 no opportunity. I didn't realize we could testify;  
11 otherwise, I would have prepared a statement that wouldn't  
12 have wandered all over the map. So, you know, I feel  
13 inadequately prepared to come to my thoughts and prepare  
14 something.

15 JUDGE WOODRUFF: Well, it's up to you.  
16 If you want to come up, you don't have to have a prepared  
17 statement. If you just want to come up and speak your  
18 mind, you can do that too. If you don't want to, that's  
19 fine too.

20 MS. HALL: Oh, about the rate increase  
21 specifically or --

22 JUDGE WOODRUFF: About the rate case in  
23 particular is what we're here for, but if -- if there's --  
24 you have other issues with Laclede, you can tell us about  
25 that also.

1 MS. HALL: I think I'll decline.

2 JUDGE WOODRUFF: Okay. If you change  
3 your mind, let me know.

4 MS. HALL: Uh-huh.

5 JUDGE WOODRUFF: The next name on the  
6 list then is Greg Nappier.

7 MR. NAPPIER: You want me to come up  
8 there?

9 JUDGE WOODRUFF: Yes. I apologize for  
10 the layout of the room. You're kind of far away from us  
11 over there, but I think that's to -- to get the loud  
12 speakers and everything set up. So please raise your right  
13 hand.

14 (Thereupon, Witness Nappier was sworn  
15 on his oath by Judge Woodruff, and testified as  
16 follows:)

17 And would you tell us your name, and spell  
18 your last name, please.

19 MR. NAPPIER: My name is Greg Nappier.  
20 N-A-P-P-I-E-R.

21 JUDGE WOODRUFF: Thank you. What would  
22 you like to tell us?

23 MR. NAPPIER: Well, I'd like to mention  
24 that I would like to implore you gentlemen to decline  
25 giving Laclede Gas their rate increase because -- can you

1 hear me all right?

2 JUDGE WOODRUFF: I can hear you.

3 MR. NAPPIER: Okay. Because, for one  
4 thing, Ameren got a 10 percent increase last week, and I  
5 would like you to remember that there are people who are on  
6 fixed incomes and unemployed.

7 And also there was -- when they were talking  
8 about prudence a little while ago, the folks were talking  
9 about prudence. I was wanting to mention that Barbara  
10 Meis- -- let's see. I think it's Meisenheimer, a spokesman  
11 for the chief utility economist for the Office of Public  
12 Counsel which advocates the state's utility customers, she  
13 had also mentioned about -- made a statement about high  
14 unemployment.

15 But she had also mentioned that Laclede Gas  
16 has increased rates by more than \$47 million in 2005, and  
17 also Douglas Yeager, the chairman, president and chief  
18 executive of Laclede Gas, had made just a hair under \$4  
19 million last year, up from 3 million in 2008, and 2.4  
20 million in 2007. And that's one heck of an increase in his  
21 salary.

22 And you know, like I say, I -- I just want  
23 to say that, you know, it seems like -- it seems like every  
24 time -- oh, and she said -- oh, okay. I mentioned the 47  
25 million since 2005. Just seems like every time you turn

1 around they're asking for increases, and you know, you have  
2 to think -- or I ask myself when's it going to stop. You  
3 know, I want this, I want this, I want this, I want this.

4 And so that's -- that's the main thing that  
5 I had wanted to mention to your gentlemen, and I appreciate  
6 you listening to me.

7 JUDGE WOODRUFF: Commissioner Gunn, do  
8 you have any questions?

9 COMMISSIONER GUNN: I do. I just have  
10 a couple of questions.

11 MR. NAPPIER: No, that's fine. If you  
12 would want to respond to that, that's -- that's fine.

13 COMMISSIONER GUNN: Well, we can't  
14 really respond, but I actually have some questions for you  
15 if it's okay.

16 MR. NAPPIER: Okay.

17 COMMISSIONER GUNN: And Commissioner  
18 Kennedy might after -- after I'm finished.

19 Have you -- I appreciate very much what you  
20 said, and we hear that a lot. But specifically, have you  
21 had any interaction with Laclede's Customer Service or had  
22 any issues with billing or -- or service issues with the  
23 company?

24 MR. NAPPIER: No, sir.

25 COMMISSIONER GUNN: Okay. And then



1 have you -- one of the ways that you can potentially offset  
2 any increases are efficiency and conservation measures. Do  
3 you do that in your home? Do you do what you can to -- to  
4 limit your energy usage?

5 MR. NAPPIER: Yes, sir.

6 COMMISSIONER GUNN: Have you gone --  
7 have you used any of the company materials or company  
8 website or anything like that?

9 MR. NAPPIER: I'm sorry, I don't have  
10 access to a computer.

11 COMMISSIONER GUNN: Okay.

12 MR. NAPPIER: I don't have one.

13 COMMISSIONER GUNN: Okay.

14 MR. NAPPIER: When you mentioned the  
15 website, I --

16 COMMISSIONER GUNN: All right. So --  
17 so not having access to a computer, what would be a good  
18 way for the company to communicate to you or anybody,  
19 including the Public Service Commission, to communicate to  
20 you any sort of energy savings or any of the efficiency  
21 programs or measures you can take to help you conserve?

22 MR. NAPPIER: Well, probably letters in  
23 the mail. I mean, that's the only thing -- one I can think  
24 of.

25 COMMISSIONER GUNN: Thank you, sir. I

1 don't have any other questions, but appreciate your time.

2 MR. NAPPIER: Okay.

3 JUDGE WOODRUFF: Commissioner Kennedy?

4 COMMISSIONER KENNEDY: Mr. Nappier, I  
5 don't have any questions, but thank you for taking the time  
6 to come and share your thoughts with us. I mean, it's an  
7 important part of the process, and your -- your voice is --  
8 is heard and it is taken into account during the process.  
9 So thank you very much.

10 MR. NAPPIER: Okay.

11 JUDGE WOODRUFF: Any questions from the  
12 parties?

13 MR. PENDERGAST: No questions. Sir, I  
14 appreciate your comments. I just wanted to let you know  
15 that I think we do send out in mail form a pamphlet that  
16 has some of these energy savings tips on a pretty periodic  
17 basis. And we also have some information right outside if  
18 you're interested in taking a look at some of the energy  
19 efficiency programs that we have available to help you save  
20 on your energy bills, your usage and so forth.

21 MR. NAPPIER: Thank you. Okay. Once,  
22 again, I thank you for listening to me, let me express my  
23 ideas. Thank you.

24 JUDGE WOODRUFF: Next name on my list  
25 is Wynn Chesney. Good evening, sir. If you'd please raise

1 your right hand.

2 MR. CHESNEY: Wynn Chesney.

3 C-H-E-S-N-E-Y.

4 JUDGE WOODRUFF: You need to raise your  
5 hand so I can swear you in.

6 MR. CHESNEY: Pardon me?

7 JUDGE WOODRUFF: You need to raise your  
8 right hand so I can swear you in.

9 MR. CHESNEY: Okay.

10 (Thereupon, Witness Chesney was sworn  
11 on his oath by Judge Woodruff, and testified as  
12 follows:)

13 JUDGE WOODRUFF: Thank you. You've  
14 already told us your name, so what else would you like to  
15 tell us?

16 MR. CHESNEY: Okay. I -- I just  
17 wondered if the executive committee and the board on the  
18 gas company realizes that this is probably the worst year  
19 of the last 10 or 20 to ask for an increase of any kind,  
20 because most of us are going the other way. We are getting  
21 cut left and right, and that has to be reflected in the  
22 public sentiment somehow.

23 The other thing I'd like to challenge a  
24 little bit is the rate of return. They're shooting for an  
25 11.5 percent return. I don't think you can find a bank or

1 a credit union for the one in three year period of time  
2 that's going to give you anywhere near 11.5 percent return.  
3 It's more like 2 percent.

4 So I would like to say that I think that's  
5 excessive. I know the stockholders are important, but I  
6 certainly don't think they deserve a rate anywhere near  
7 11.5 percent.

8 And then I was going to try to state my  
9 objection to the rolling-in process. I know she said it's  
10 been done year after year and so on, but I think if they're  
11 only 1 million away from what they actually need, I really  
12 don't see the need for that 61 million if most of it except  
13 for a million has already been covered. Let's go with what  
14 they've got covered, and give them the million, and see if  
15 they can get by on that like the rest of us are having to  
16 do.

17 Thank you for indulging me.

18 JUDGE WOODRUFF: Thank you, sir.  
19 Commissioner Gunn?

20 COMMISSIONER GUNN: I'm going to ask  
21 you similar questions to what I -- what I asked before.  
22 Have you ever had any service issues, billings issues or  
23 customer service issues with the company?

24 MR. CHESNEY: We use customer service  
25 every year to change our address, our billing address, and

1 we had one gas leak. And I have to hand it to the guys  
2 that actually work in the neighborhoods that came out.  
3 They did an excellent job. That was it.

4 COMMISSIONER GUNN: Do you -- thank you  
5 very much for that. Do you -- do you institute any energy  
6 efficiency or conservation mode?

7 MR. CHESNEY: We've got all new  
8 windows, extra insulation in the attic, and new doors.

9 COMMISSIONER GUNN: Did you figure that  
10 out on your own, or did you use any of the company  
11 resources in order to do that?

12 MR. CHESNEY: Unfortunately, we did  
13 that before they were -- the government was going to give  
14 you credit for doing that.

15 COMMISSIONER GUNN: That always seems  
16 to be the case, doesn't it. I don't have anything further.  
17 Thank you, sir, for coming out.

18 MR. CHESNEY: Thank you.

19 COMMISSIONER GUNN: Commissioner  
20 Kennedy might have some -- Commissioner Kennedy may have  
21 some questions.

22 MR. CHESNEY: Oh.

23 JUDGE WOODRUFF: Commissioner Kennedy?

24 COMMISSIONER KENNEDY: Mr. Chesney, I  
25 don't have any questions, but thanks for participating in

1 the process, and thanks for coming out.

2 MR. CHESNEY: Thank you.

3 JUDGE WOODRUFF: Questions from the  
4 parties?

5 MR. PENDGERGAST: No questions.

6 JUDGE WOODRUFF: Next name on the list  
7 -- the next name on the list is Jan Burmeister.

8 (Thereupon, Witness Burmeister was  
9 sworn on his oath by Judge Woodruff, and  
10 testified as follows:)

11 Thank you very much. Could you tell us your  
12 name, and spell your last name.

13 MS. BURMEISTER: It's Jan, and it's  
14 Burmeister. B-U-R-M-E-I-S-T-E-R. In Sunset Hills.

15 JUDGE WOODRUFF: Thank you. Thank you  
16 very much. What would you like to tell us?

17 MS. BURNEISTER: Well, Judge Woodruff  
18 and Commissioners Gunn and Kennedy, I'm going to say a few  
19 similar things to Mr. Nappier and Mr. Chesney in that on --  
20 in a year when Social Security didn't see a penny increase,  
21 it's hitting us hard. And it's hitting us from necessity  
22 providers.

23 You know, your elective spending is one  
24 thing. You just cut back on this and that and you eat at  
25 home more often, but this is groceries, health care,

1 transportation and no utilities, one by one.

2 First AmerenUE. It was an incredible  
3 request for 18 percent. And then American Water for 23.  
4 And now this. We fully expect to hear from the sewer  
5 district and phone and cable companies next.

6 It's almost a bandwagon thing, or it seems  
7 to be a bandwagon thing in a year when we have no -- no  
8 options. These are our necessities.

9 The one thing I do ask is that if you do  
10 increase and increase them -- approve an increase that we  
11 all expect small increases every year in everything.  
12 That's understandable. -- that you limit it to a reasonable  
13 amount. But number two, that you put a time frame on it  
14 and a rollback date.

15 These things never get rolled back, even  
16 after the company's needs are met and their expenditures,  
17 and in the case of the other two, usually as I mentioned,  
18 the percent requests were so high. It had to be some kind  
19 of mismanagement. I mean, you just -- you should be  
20 planning for this with incremental increases that your  
21 customers can afford.

22 But they never do get rolled back or  
23 repealed or have an expiration date on them. So that would  
24 be my second request, and that's really all I have to say.  
25 Except thank you so much for your work.

1 JUDGE WOODRUFF: Thank you, ma'am.  
2 Commissioner Gunn?  
3 COMMISSIONER GUNN: I'm going to ask  
4 those same questions.  
5 MS. BURMEISTER: Sure.  
6 COMMISSIONER GUNN: Any customer  
7 service, billing, or -- or actual reliability in --  
8 MS. BURMEISTER: No issues.  
9 COMMISSIONER GUNN: -- service  
10 problems?  
11 MS. BURMEISTER: Ut-uh. No issues.  
12 Good service. We just dutifully pay our bills every month.  
13 COMMISSIONER GUNN: What about energy  
14 efficiency and conservation?  
15 MS. BURMEISTER: Yeah, our -- Mom and I  
16 live alone, and our main effort is adjusting the  
17 thermostat. It's -- it's 68 or less in winter, and it's 74  
18 or higher in the summer. And that does affect the bill by  
19 4 or 5 percent. But that's about all we've been able to do  
20 right now.  
21 COMMISSIONER GUNN: Thank you very  
22 much.  
23 MS. BURMEISTER: Uh-huh.  
24 COMMISSIONER GUNN: Appreciate you  
25 coming in. Thanks.



1 MS. BURNEISTER: Okay.

2 JUDGE WOODRUFF: Commissioner Kennedy?

3 COMMISSIONER KENNEDY: Ms. Burmeister,  
4 I don't have any questions, but thank you for your  
5 thoughtful comments, and thank you for your specific  
6 suggestions as well. Thanks for participating in the  
7 process.

8 MS. BURMEISTER: Okay.

9 JUDGE WOODRUFF: Questions from the  
10 parties?

11 MR. PENDERGAST: I have no questions,  
12 your Honor. Thank you.

13 JUDGE WOODRUFF: Thank you, Ms.  
14 Burmeister. That was the last name on my list. Is there  
15 anyone else who would -- who would like to testify? Come  
16 up.

17 MS. HALL: I will.

18 JUDGE WOODRUFF: Please raise your  
19 right hand, and I'll swear you in.

20 (Thereupon, Witness Hall was sworn on  
21 his oath by Judge Woodruff, and testified as  
22 follows:)

23 Thank you. all right. Tell us your name.

24 MS. HALL: Mary Hall. H-A-L-L.

25 JUDGE WOODRUFF: What would you like to

1 tell us?

2 MS. HALL: I'm going -- you're going to  
3 hear some of the same types of remarks. There are a lot of  
4 us who are on a fixed income, on Medicare already, but fall  
5 between the cracks between those who can ethically apply  
6 for a reduced rate for utilities or any other services.  
7 And those of us who fall between the cracks are the ones  
8 I'm concerned about. I'm included in the group, but I'm  
9 concerned about us.

10 And what -- I have a particular concern with  
11 the Commission. I have testified before the Commission  
12 before in Jefferson City, and my concern is about the rate  
13 increases. Whenever they're requested, why are they always  
14 granted? I -- I don't understand why they're always  
15 granted.

16 And I would really like to know exactly  
17 where -- and I'd asked Mr. Zucker and Mr., I think, Ryan to  
18 see and is that like a flow chart or some kind of graphic  
19 that will show just how each dollar is allotted to salaries  
20 and administrative and overhead expenses and so on. I have  
21 run volunteer agencies. I have done a lot of work in the  
22 community, so I know that there's a soft spot, you know,  
23 some fudge kind of money and funding.

24 How much of that are we paying for? Are we  
25 paying for escalated salaries for people who -- it's -- it

1 may be a class action issue, you know, or a class related  
2 issue, but I don't think that that's appropriate. First of  
3 all, that every rate increase should be granted, and  
4 secondly that those of us who are challenged financially  
5 should enhance the salaries of people who are not. Okay.  
6 That's really a serious question for me. Okay.

7                   An 11.5 percent rate of return is really  
8 stiff, and I thought maybe I misheard that. But maybe that  
9 was -- didn't we hear 3 percent when that presentation was  
10 done on the Power Point? I thought I heard 3 percent. I  
11 may have misheard something there, but that's a wide  
12 discrepancy.

13                   And another point about discrepancies, the  
14 gas company played fairly fast and loose with their figures  
15 is what I'm thinking out now. I'm just figuring this out  
16 just tonight because they want 60 million, and that's what  
17 they put in the papers and that's what brought me here.  
18 And yet, the bottom line is that they only need 11 or 12  
19 million. That's really a serious concern.

20                   If their auditing on their end, at the gas  
21 end, is so broad to incorporate all the exigencies, why  
22 don't they tighten it up and ask for exactly what is  
23 actually physically merited. Not enhancing salaries, but  
24 just enhancing the service aspect and the infrastructure  
25 aspect of the utility?

1                   Okay. That's another serious concern. Also  
2 I really wish there was a rate of return regulator for BP  
3 and Exxon and Mobil too, but that --

4                   All right. So those are -- so those are my  
5 primary issues. I really appreciated this opportunity. I  
6 didn't anticipate it. Thank you.

7                   JUDGE WOODRUFF: Okay. Thank you, Ms.  
8 Hall. Questions, Commissioner Gunn?

9                   COMMISSIONER GUNN: I do. I just have  
10 a couple. This idea of -- of kind of -- of falling through  
11 the cracks, the people that really aren't making -- or  
12 making too much money to access any assistance programs  
13 that are currently out there. Do you have any ideas or  
14 suggestions about how we might be able to address --  
15 address that issue?

16                  MS. HALL: I think primarily what you  
17 use poverty line, federal poverty guidelines, and actually  
18 very few people fit into those either, you know. So if you  
19 could -- brought it to a more realistic. Like if someone  
20 brings in a certain figure which is like maybe -- what is  
21 that line, 32 on the bottom of the first page of your  
22 income tax that says your adjusted gross income. If that  
23 -- they could set that at 15,000 or something, it would  
24 incorporate a lot more people who really do have the need,  
25 but still are above what the fed sets up as a poverty

1 guideline.

2 COMMISSIONER GUNN: In terms of  
3 efficiency conservation, are you taking -- are you taking  
4 conservation efficiency steps in your home?

5 MS. HALL: Maximal. I used to teach  
6 science. Every cycle for 30 years, before it got in. Yes,  
7 maximum.

8 COMMISSIONER GUNN: And is that -- is  
9 the information that you got about that from your own  
10 research, or did you use any of the company resources or  
11 materials?

12 MS. HALL: Well, insulation you mean or  
13 energy conservation?

14 COMMISSIONER GUNN: Just general  
15 efficiency conservation measures.

16 MS. HALL: There's things that I cut  
17 out and based on my own knowledge of environmental --

18 COMMISSIONER GUNN: What I'm trying to  
19 figure was -- were the company's materials and programs,  
20 helpful to you in that regard?

21 MS. HALL: Oh, I -- no. No. I'm  
22 sorry. I'm not trying to be rude, but --

23 COMMISSIONER GUNN: No, that's --  
24 that's what we want to hear. Any service issues, customer  
25 service issues, service issues?

1 MS. HALL: Okay. That's why I went to  
2 the PSC in Jefferson City earlier.

3 COMMISSIONER GUNN: Now, what kind of  
4 service issues are you talking about?

5 MS. HALL: I was being really what I  
6 thought was over billed. I am a single person now alone.  
7 I was living alone at that time, which was several years  
8 ago, two and a half to three years ago. And I keep my  
9 thermostat at 62. I'm from Chicago, so it's easier for me  
10 maybe because I'm used to the cold. But 62 really is cold.  
11 Your hands are always cold, and you always wear your -- you  
12 know, some sweaters or -- and so it wasn't really  
13 comfortable, but I had to save the money because I had  
14 issues in early retirement. So I had to save the money.

15 And I got a bill for \$167 in gas for one  
16 month. I know I didn't use \$167 worth of gas. There was  
17 no exigencies or weather, you know, no great spike like  
18 where it went, you know, to 20 below for 8 days in a row or  
19 anything.

20 So that's why I was interested in letting  
21 the Commission know that I thought I was really being over  
22 billed. And they'd also put in a new meter, and that was  
23 -- I can't say it's causal relationship, but it was  
24 certainly correlational between the increase in my rates  
25 and the installation of this new meter.

1                   COMMISSIONER GUNN: The gas is a  
2 commodity. The actual gas prices have decreased --

3                   MS. HALL: Uh-huh. I noticed that.

4                   COMMISSIONER GUNN: -- fairly  
5 significantly from -- from last year, and that should  
6 reflect a savings in your -- in your bills if you're using  
7 the same amount of energy every month.

8                   MS. HALL: Uh-huh.

9                   COMMISSIONER GUNN: Have you seen that  
10 kind of savings because of the gas prices have gone down?

11                  MS. HALL: You know, I haven't done a  
12 reference check between last year's -- the last 12-month  
13 cycle, you know, and this 12-month cycle, but I am -- I  
14 still am paying about \$40 a month for one person. And I  
15 have a primarily electric house. The only thing that's gas  
16 is the hot water heater.

17                  COMMISSIONER GUNN: There are -- there  
18 are probably -- in these proceedings, we act as judges, so  
19 we're not really allowed to answer questions, but there are  
20 folks here about your -- your questions about rate  
21 increases are granted and things like that. You can talk  
22 to our staff who are sitting right here and outside. They  
23 can help you.

24                  You are very ably represented by the Office  
25 of Public Counsel. Mr. Poston right there can help you

1 answer some of those questions. They do a great job in  
2 front of us. So I would -- I would suggest you speak to  
3 them because they're -- and that includes the ROE questions  
4 that you have about the 11.5 and what -- what the  
5 discrepancies are. And I think there are some specific  
6 answers to those questions that they might be able to help  
7 you out with and we would love to do, but we're not allowed  
8 to, the way this is set up.

9                   So we -- we appreciate you coming tonight.  
10 I don't have anything else. Commissioner Kennedy might  
11 have some questions.

12                   JUDGE WOODRUFF: Commissioner Kennedy?

13                   COMMISSIONER KENNEDY: No, Ms. -- Ms.  
14 Hall, I don't have any questions, but I do appreciate you  
15 taking the time to come here and to come to Jefferson City.  
16 And the questions that you asked are important questions,  
17 and there's somebody in this room that should be able to  
18 help you find the answers to those, if not actually not in  
19 the Office of Public Counsel.

20                   So thanks for taking the time to come out  
21 tonight.

22                   JUDGE WOODRUFF: Any questions from the  
23 parties?

24                   MR. PENDERGAST: I don't have any  
25 questions. I'd just like to note, ma'am, I -- I heard your



1    comments about kind of falling in the cracks there between  
2    where the government programs are available and where they  
3    aren't and not being able to go ahead and be eligible for  
4    it.

5                   And please check with us afterwards.  We do  
6    have a low-income energy assistance program, and I think  
7    because -- this may be from the Office of Public Counsel  
8    and the Commission's staff, as well as the company.  We do  
9    try and make at least a part of that program available to  
10   people up to 185 percent of the federal poverty level.  And  
11   one of the reasons we did that was to go ahead and try and  
12   address people that just don't quite meet the federal  
13   guidelines for light and heat assistance and that sort of  
14   thing.

15                   We also have a number of energy efficiency  
16   programs that are available to all of our customers without  
17   regard to income in the form of rebates, financing, and  
18   that sort of thing.  I don't know whether any of that would  
19   be helpful to you, but if it might, please check with this.  
20   And we'll try and go ahead and supply this information.

21                   MS. HALL:  Oh, okay.  Thank you.  All  
22   right.  I didn't -- thank you.  Didn't know that.

23                   JUDGE WOODRUFF:  Well, thank you, Ms.  
24   Hall.  And I might say you did a very nice job.

25                   MS. HALL:  Thank you.

1 JUDGE WOODRUFF: It can be a little  
2 intimidating to come up here to speak in front of  
3 everybody.

4 All right. That was the last name on my  
5 list. Is there anyone else who would like to testify?  
6 I don't see anyone else raising their hand.

7 MR. POLOUNIF: My name is Arowitz  
8 (ph.). Last name P-O-L-O-U-N-I-F. Polounif.

9 JUDGE WOODRUFF: Okay. Would you  
10 please raise your right hand.

11 (Thereupon, Witness Polounif was sworn  
12 on his oath by Judge Woodruff, and testified as  
13 follows:)

14 What would you like to tell us?

15 MR. POLOUNIF: I would like to tell  
16 about my experience with Laclede Gas. It was about three  
17 or four years ago, and at that time, I traveled a lot,  
18 especially in the wintertime. And I remember I haven't  
19 been for months in the February or January at home. I was  
20 in a different state. And there was a bill close to \$200.

21 When I called in and tried to find out  
22 actually what is going on, maybe some leak, maybe something  
23 else, the answer was unfortunately we charged you on  
24 average basis. And then my question, of course, was what  
25 the average basis mean. I don't receive my salary on an

1 average basis. I receive what I worked for.

2 And the answer was it was too cold, and the  
3 technician wasn't out to check the meters, so that's almost  
4 end of the story. And my question was so do I have to pay  
5 this money?

6 Yes, if you were charged, you're supposed to  
7 pay it. I didn't pay that money, I paid just \$20 on that  
8 bill. And then I have to call back, you know, three or  
9 four times before the actual -- the issue was settled. And  
10 I do not see this incident as the normal business behavior,  
11 but it was presented to me that way.

12 I did not receive any letters of apology. I  
13 did not receive any discounts. I did not receive anything,  
14 just pay your bill and keep your mouth shut. That's how I  
15 see the situation what occurred to me.

16 And recently it was changed, gas meter. I  
17 don't know if for good or for bad, but it's new. It's  
18 low-grade. It's not rusted. So we'll see what's going to  
19 happen after that.

20 Of course, bill increase is not a good time,  
21 especially now, and when I saw my bill increased in AT&T  
22 charges, I go in and ask them why. The response was that's  
23 the cost, what we have been charging you to upgrade our  
24 business. My answer was I don't think this cost is fair,  
25 at least, you can keep it down for another year.

1                   And I got like \$20 discount, and I got  
2   another \$5 for a year. So it's kind of two months free. I  
3   did not expect this from Laclede. Yes, I did not expect it  
4   from AmerenUE, but if there is the service should be out  
5   there, the service should be on a constant basis, not on  
6   estimated or guesstimated basis.

7                   That's my prime concern, because I hear some  
8   people here express the same opinion that their bill was  
9   high and the question was why it was high. In my case, I  
10   find out why it was high, but if that is the guesstimate  
11   service, so maybe they should receive guesstimate money.

12                  So --

13                  JUDGE WOODRUFF: Commissioner Gunn,  
14   questions?

15                  COMMISSIONER GUNN: Yes, thank you very  
16   much for that. Did -- did someone eventually come out and  
17   do an actual reading of the meter?

18                  MR. POLOUNIF: Well, that's what I was  
19   told back then, so somebody is supposed to be out there and  
20   read the meter. And after that, they go two or three  
21   times, but I never saw the technician, no one ever knocked  
22   on my door to let me know the technician is here. And it  
23   was after that I started checking my meter, and followed  
24   precisely how much it reads and how much I should pay.

25                  But with the -- why I only stopped doing it.

1 Maybe I should start doing it again because there is a new  
2 meter out there.

3 COMMISSIONER GUNN: Sir, did you ever  
4 get the issue of what you thought was an overcharge  
5 resolved? Did they give a credit back to you or --

6 MR. POLOUNIF: Oh, I didn't pay that  
7 money, and they didn't charge me because they didn't -- I  
8 don't know, maybe because they overcharged me. There was  
9 no letter of apology or investigation whatsoever.

10 COMMISSIONER GUNN: But the small  
11 amount that you paid seemed to satisfy them, and then --

12 MR. POLOUNIF: Yeah.

13 COMMISSIONER GUNN: -- you didn't --

14 MR. POLOUNIF: Yeah, it was no problem.  
15 Twenty dollars instead of two hundred, no problem.

16 COMMISSIONER GUNN: And then they are  
17 -- now your bills are accurate and --

18 MR. POLOUNIF: I never my check my bill  
19 for two or three years. There was too many things in my  
20 life, so --

21 COMMISSIONER GUNN: But are -- but you  
22 haven't noticed any spikes or increases in the bill that  
23 would cause you concern?

24 MR. POLOUNIF: It's average.

25 COMMISSIONER GUNN: Thank you, sir. I

1 don't any questions.

2 JUDGE WOODRUFF: Commissioner Kennedy?

3 COMMISSIONER KENNEDY: Mr. Polounif,  
4 thanks for coming out, and thanks for sharing your story  
5 with us. We appreciate it.

6 JUDGE WOODRUFF: I have a question for  
7 you, sir. How long ago was it that this estimated billing  
8 problem occurred?

9 MR. POLOUNIF: Oh, if I'm mistaken, it  
10 was 2006 or 2007, winter 2006-2007.

11 JUDGE WOODRUFF: Do you know if they'd  
12 installed an automatic meter reader?

13 MR. POLOUNIF: Oh, the automatic meter  
14 was installed just a couple of weeks ago.

15 JUDGE WOODRUFF: Questions for the  
16 company?

17 MR. PENDERGAST: Sir, if you continue  
18 to have any concerns about that issue, it sounds like it  
19 was resolved one way or another, please let us know, and  
20 we'd be happy to go ahead and help you out with it. And if  
21 you're looking for an apology, if we did make a mistake or  
22 if we didn't go ahead and do something that we should have  
23 done, we apologize for the company tonight.

24 And you know, be happy to go ahead, and if  
25 there's anything else we can do to rectify the situation,

1 please see me right after the meeting. Okay?

2 MR. POLOUNIF: Okay. I understand you  
3 apologize for the company, but back then the company told  
4 that's their normal procedure.

5 MR. PENDERGAST: Well, I don't know  
6 what the facts are or what the circumstances are.  
7 Apparently, you paid \$20 and apparently, for whatever  
8 reason, that was deemed to be sufficient. And if you still  
9 have some unanswered questions, we'd like to answer them  
10 for you. So please talk to us after the meeting is over.

11 MR. POLOUNIF: Okay. Thank you.

12 MR. PENDERGAST: Thank you.

13 JUDGE WOODRUFF: Thank you, sir.

14 Anyone else here who'd like to testify? All right. I  
15 don't see any hands going up now. So thank you all for  
16 coming out, and we are adjourned.

17 (Thereupon, the proceedings were

18 concluded at 6:53 p.m.)

19 o8o

20 UNLESS OTHERWISE NOTIFIED IN WRITING BY THE PARTIES  
21 INVOLVED, ALL NOTES IN CONNECTION WITH THIS PROCEEDING WILL  
22 BE DESTROYED 12 MONTHS FROM THE DATE OF THIS PROCEEDING.

23

24

25

1 CERTIFICATE OF REPORTER

2

3 I, PATSY A. HERTWECK, Professional Court  
4 Reporter within and for the State of Missouri, the officer  
5 before whom the foregoing local public hearing was taken,  
6 do hereby certify that the aforementioned was held at the  
7 time and in the place previously described.

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Patsy A. Hertweck, C. C. R.

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