

Public Hearing Vol 6 - February 24, 2014

Page 1

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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Local Public Hearing
February 24th, 2014
Gladstone, Missouri
VOLUME 6

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

KENNARD L. JONES, Presiding
SENIOR REGULATORY LAW JUDGE

ROBERT S. KENNEY, Chairman

STEPHEN M. STOLL, Commissioner

REPORTED BY: Mary Lynn Cushing, CCR
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Public Hearing Vol 6 - February 24, 2014

Page 2

1 REGULATORY LAW JUDGE: Okay. If you
2 all can be seated and remain silent. To those of you
3 who are still speaking, I feel like I'm a substitute
4 teacher right now. My name is Kennard Jones, I'm the
5 Regulatory Law Judge, who will be presiding over this
6 rate hearing case. To my right is the Chairman of
7 the Public Service Commission, Chairman Kenny. To my
8 left is Commissioner Stoll. This is Case No.
9 GR-2014-0007. And first let's start by taking
10 entries of appearances beginning with Missouri Gas
11 Energy.

12 MR. JACOBS: Todd Jacobs on behalf of
13 Missouri Gas Energy.

14 REGULATORY LAW JUDGE: Thank you, Mr.
15 Jacobs. And for the Office of the Public Counsel?

16 MR. POSTON: Thank you, Judge. Marc
17 Poston, Office of the Public Counsel.

18 REGULATORY LAW JUDGE: And the staff
19 of the Commission?

20 MR. BORGMEYER: Yes, thank you, Judge.
21 Appearing for the Staff of the Commission, my name is
22 John Borgmeyer.

23 REGULATORY LAW JUDGE: Are there any
24 other parties represented who I have not called out?
25 I don't see anyone. Okay.

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1 Now you all have had about an hour or
2 so perhaps to get some questions answered that you
3 have. If you have not gotten those questions
4 answered, you will still have an opportunity to do
5 that after this portion of the hearing. This portion
6 of the hearing is strictly for testimony. I will
7 call -- we have a list of people that have signed up
8 to make a statement on the record. It's being
9 transcribed. I'll ask you to step to this podium to
10 my left and to your right. I'll swear you in. You
11 make your statement and remain there for a moment to
12 see if myself or either of the Commissioners have
13 questions for you, and then we will move on to the
14 next person.

15 After we've gone through the list, if
16 there is anyone here who has not made a statement and
17 also did not sign up to do so, you will have an
18 opportunity to say something at that time. I think
19 that's it. Mr. Chairman, did you want to say
20 anything?

21 CHAIRMAN KENNEY: Just briefly. Good
22 evening, everybody. Thank you for being here. It's
23 7:00 o'clock on a Monday night, I know it must mean
24 something. You probably have --

25 AUDIENCE: Can't hear you.

Public Hearing Vol 6 - February 24, 2014

Page 4

1 CHAIRMAN KENNEY: Sorry, how's that?
2 Is that better.

3 AUDIENCE: Yes.

4 CHAIRMAN KENNEY: Okay. I was saying
5 it was 7:00 o'clock on a Monday evening and I know
6 you probably have other things that you could be
7 doing, so your presence here is important to you and
8 I want to let you know it is also important to us.
9 Your testimony will be transcribed, will become a
10 part of the record and it will be something that we
11 take into account in our deliberations.

12 There are currently four City
13 Commissioners. You should know that the fact that
14 the other two aren't here, you shouldn't read
15 anything negative into that. They will have copies
16 of the transcript and will be able to take into
17 consideration the testimony that is provided here
18 today. So thank you for being here. Your
19 participation is an important part of the process and
20 we appreciate you taking the time to be here tonight.
21 We look forward to hearing what you have to say.
22 Thank you.

23 COMMISSIONER STOLL: I too want to
24 welcome you here this evening. We do really
25 appreciate you coming out. You probably picked up

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1 some papers when you came in and haven't had a chance
2 to read those yet, but I think when you go home and
3 take a look at those, they also might help you answer
4 some questions. Also, I wanted to point out the
5 contact information on the back of the sheets, that's
6 the four pages. And you can also submit testimony
7 over on our website and/or you can send written
8 testimony to the address given here on the back. So,
9 again, thanks for coming out and we look forward to
10 hearing your testimony.

11 REGULATORY LAW JUDGE: Let's go ahead
12 and jump right in with Wilber Auernheimer. Did I
13 pronounce your last name correctly?

14 MR. AUERNHEIMER: Yes. I got a
15 question about the --

16 REGULATORY LAW JUDGE: Before you --
17 first let's swear you in.

18 WILBER AUERNHEIMER,
19 duly affirmed, testified as follows:

20 REGULATORY LAW JUDGE: Thank you. You
21 may proceed.

22 MR. AUERNHEIMER: All right. Okay.
23 On your rate increase 2.33 a month, and now you want
24 -- for some reason you want to shift it to all the
25 five cold months where everybody's bill is already

1 going up because of the usage from the -- from using
2 the furnace, the gas in their furnace, so you want to
3 shift most all of the cost to these same five months.
4 Why not put the break, as you might want to call it,
5 into July, whenever your -- whenever your gas bill is
6 nothing but the water heater or something of that
7 sort, instead of putting it -- adding on to all the
8 months when you're paying the highest for gas usage
9 anyhow. Thank you.

10 REGULATORY LAW JUDGE: Thank you, sir.
11 Next is Pat Anthony.

12 PAT ANTHONY,
13 duly affirmed, testified as follows:

14 REGULATORY LAW JUDGE: Thank you. You
15 may proceed.

16 MS. ANTHONY: Mine is just a simple
17 statement. I'm a 79-year-old widow, who each year
18 finds myself regulating in order to meet ends, and
19 the more I seem to deny and regulate myself, in other
20 words, in this time of the year my house is colder
21 than I would like it to be because I'm conserving,
22 trying to hold down the costs. I do not agree to a
23 rate increase. I think we deserve a reduction or
24 something at this point. I am just tired of trying
25 to make do with less, in other words, to meet my

1 expenses. Thank you.

2 REGULATORY LAW JUDGE: Thank you, Ms.
3 Anthony. Next on the list is Marcia Ball.

4 MARCIA BALL,
5 duly affirmed, testified as follows:

6 REGULATORY LAW JUDGE: You may
7 proceed.

8 MS. BALL: I'm here on behalf of
9 myself, senior citizens I know and patients I know.
10 They asked me to speak on their behalf. My income is
11 fixed and it's being cut all the time. Our hours are
12 being cut and I have less money to pay things. My
13 insurance is going up and this is just another
14 increase. Also senior citizens' incomes are fixed
15 also. They're having to pick between their
16 utilities, food, medicines and medical costs. Some
17 of them are deleting their care. They're not even
18 buying their medicine. They don't even show up for
19 their treatments that I have to give as a radiation
20 therapist because they had to decide between other
21 things they had to pay for because Social Security
22 increase was only 1 percent, but here we're seeing
23 that they want to increase it like 8 percent. You're
24 already advocating for more energy-efficient
25 appliances. But right now we -- and lowering the

1 temperatures in families homes, and say like put more
2 clothes on, put sweaters on, lower your temperature
3 like to 68 degrees or whatever to save 10 percent.
4 But what about the patients that are on chemo or
5 radiation therapy that have lost 40, 50, 60 pounds
6 and they're told don't lower your thermostat because
7 they don't want them to catch cold or get other
8 diseases that they can't handle when they're already
9 immunosuppressed and things, so they're trying to
10 debate between what their doctor says and what the
11 utility company says? That's a catch-22 that they
12 cannot win.

13 They're also concerned about their
14 infrastructure and how every three years they have to
15 go through hearings about increasing costs to them or
16 something about that. What about the general
17 public's infrastructure? Like to my home we have
18 repairs that we have to do, caulking, you know,
19 buying new water heaters and things like that, but
20 who is going to -- or water lines in our house,
21 plumbing that's broken. Are they going to help us
22 pay for our infrastructure repair, an ISRS costs that
23 we're trying to pay for them? No. And we have
24 already operating costs just like you, but we can't
25 hold a hearing like they are to increase our Social

1 Security or our wages. You know, it's just -- we're
2 just stuck. They also said that they have the
3 increase in their costs for their insurance. Well,
4 okay, part of their insurance went up because of what
5 happened down on the Plaza for JJ's. You know, yeah,
6 their insurance is going to go up because of what
7 happened there. Now we're going to have to pay for
8 part of that? It's what it will make you feel like.
9 I don't get any help for my costs. We already pay
10 for the volume of gas used with our CCF and then, you
11 know, it's like double billing, we even have to pay
12 more on top of that cost because I use more, I got to
13 pay more. That's again a catch-22 for someone that
14 don't lower their thermostat because of their
15 illness.

16 We're just -- I don't know. And then
17 we're also having to pay for their advertising when
18 there's no competition. So why are they advertising?
19 There's no competition, you know, so why do we have
20 to advertise? And just like someone was saying
21 earlier about the meters are electronic and we don't
22 have to have meter readers and the trucks and things
23 like that. That did save them some costs so they
24 should have more money in their pockets. We should
25 be getting, our bills stay the same, so that's really

Public Hearing Vol 6 - February 24, 2014

Page 10

1 kind of all I have to say. And that was just my view
2 about how I think things are. I appreciate your time
3 in letting me say what I had to say.

4 CHAIRMAN KENNEY: Ms. Ball, I don't
5 have any questions for you. I appreciate you taking
6 the time and pointing out very specific items that
7 you pointed out to us. Thank you for your time.

8 COMMISSIONER STOLL: Thank you for
9 your testimony.

10 REGULATORY LAW JUDGE: Next is Andrew
11 Inzerillo. Did I pronounce your last name correctly?

12 MR. INZERILLO: Yes, sir.

13 ANDREW INZERILLO,
14 duly affirmed, testified as follows:

15 MR. INZERILLO: I hope so.

16 REGULATORY LAW JUDGE: Well, let me
17 ask you again. Do you solemnly affirm that the
18 testimony you're about to give is the truth?

19 MR. INZERILLO: It is the truth and
20 the whole truth so help me God.

21 REGULATORY LAW JUDGE: All right.
22 Thank you, sir.

23 MR. INZERILLO: What I want to know is
24 why do these utilities always come and ask for rate
25 increases when there is no incentive for them to

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1 lower costs or find other ways to earn their money?

2 Now I'm 90-years-old and I remember when
3 the gas company use to be on 9th and Grand and they
4 use to sell stoves and they use to sell air
5 conditioners, and they use to make money at it. I
6 bought a gas air conditioner from the Gas service
7 Company and they'd serviced my gas air conditioner.
8 They were making money on that. They were increasing
9 the usage of gas. But there's no incentives for
10 these utility companies to do anything now. They
11 talk about -- talking about telling people to get
12 more efficient furnaces. Well, I got a 90 percent
13 gas furnace, but it's not doing anything on my gas
14 bill. It's the same thing. And this idiotic thing
15 and idiotic idea of charging \$40.95 during the winter
16 months, where does that idiotic idea come from? Why
17 don't -- I pay a level payment plan. Why can't they
18 design this thing to be a level payment plan. And
19 then just like the man said over there, he said the
20 bill was only suppose to be \$2.33. It's not \$2.33.
21 I figured up with my arithmetic, and I was good with
22 arithmetic when I was a kid, it's \$3.19 a month
23 average because -- and I can't understand why the Gas
24 Service Company don't find way and means of lowering
25 their costs. What incentives do they have? There's

1 no incentives at all. So that's all I want to say.

2 Thank you very much and God bless you.

3 REGULATORY LAW JUDGE: Thank you.

4 CHAIRMAN KENNEY: Mr. Izerillo, I just
5 wanted to commend you for taking the time to come
6 down here and I appreciate the fact that you raised
7 some very important things.

8 MR. IZERILLO: Thank you. I
9 appreciate you being here to listen to me.

10 REGULATORY LAW JUDGE: Next is
11 Richard, I believe Nairn, N-a-i-r-n.

12 RICHARD NAIRN,
13 duly affirmed, testified as follows:

14 REGULATORY LAW JUDGE: Thank you, sir.
15 You may proceed.

16 MR. NAIRN: I'm here tonight just to
17 express my thoughts on the situation that, first of
18 all, as all the rest of them explained, you know, the
19 rates going up and the costs, it affects everybody.
20 And when we don't have the ability to say, "I'll go
21 somewhere else," we're kind of stuck. And I've done
22 all the energy efficiency, I've done everything that
23 I can think of to my house, but still my bills go up.
24 So I think that the rate increase needs -- really
25 needs to be looked over real close because it's not

1 -- it's not benefitting the customer, it's
2 benefitting the investors, the utility I think, and
3 we need to really weigh that out because other parts
4 of the country aren't seeing the rate increases that
5 we are and we need to really consider this real
6 close. Thank you.

7 REGULATORY LAW JUDGE: Thank you,
8 Mr. Nairn.

9 COMMISSIONER STOLL: Thank you for
10 your testimony.

11 REGULATORY LAW JUDGE: Woody Woodward.

12 WOODY WOODWAND,
13 duly affirmed, testified as follows:

14 REGULATORY LAW JUDGE: Thank you, sir.
15 You may proceed.

16 MR. WOODWAND: And what I was going to
17 cover has been covered, so I just want to clarify
18 that my thinking, don't know what others think, why
19 would they want to increase the coldest months as
20 it's been said, it's already costing them more, and
21 you take people who are just getting by paying their
22 regular bill. You want to add more on in the summer
23 months when cost is a lot less. If you're going to
24 have a raise that's justified, then I think it should
25 be the five months, the hottest months, not the

1 coldest.

2 REGULATORY LAW JUDGE: Thank you, sir.

3 CHAIRMAN KENNEY: Let me ask --

4 REGULATORY LAW JUDGE: Mr. Woodward,
5 the Chairman has a question.

6 CHAIRMAN KENNEY: I have a quick
7 question for you and probably something that
8 everybody, it might be applicable to.

9 Did you have an opportunity during the
10 question and answer period to ask that specific
11 question about the rate design and why the company
12 has proposed a particular rate design?

13 MR. WOODWARD: No. It was not covered
14 in the earlier discussion.

15 CHAIRMAN KENNEY: It's a fair
16 question. I would encourage you to avail yourself of
17 the people that are still here in the room either
18 from our staff or from the company that may be able
19 to provide you -- it may not change your mind, but it
20 may provide you a better explanation for why they are
21 proposing the rate design in their proposal.

22 There are representatives from the
23 company here and there are representatives from the
24 Missouri Public Service Commission and from the
25 Office of Public Counsel. Among all those folks,

Public Hearing Vol 6 - February 24, 2014

Page 15

1 somebody should be able to walk you through why they
2 have proposed the rate design that they are
3 proposing.

4 MR. WOODWAND: Well, the only thing I
5 can say is they don't have any obligation to the
6 people who are using it, particular those in the
7 lower income area.

8 CHAIRMAN KENNEY: Well, part of the
9 reason we have this public hearings is it's your
10 opportunity to get questions answered and they do
11 have an obligation to answer your questions, at least
12 while we're here and while you're here, so please,
13 you know, take advantage of that opportunity.

14 MR. WOODWAND: Thank you.

15 CHAIRMAN KENNEY: Thank you.

16 MR. JACOBS: The question, I
17 apologize, that question did not come up during the Q
18 and A. Mr. Noack and I will stay afterwards and be
19 happy to talk with you. Thank you, sir.

20 COMMISSIONER KENNEY: Thank you.

21 REGULATORY LAW JUDGE: Robert
22 Quackenbush?

23 ROBERT QUACKENBUSH,
24 duly affirmed, testified as follows:

25 REGULATORY LAW JUDGE: Thank you, sir,

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1 you may proceed.

2 MR. QUACKENBUSH: You as the Public
3 Service Commission and MGE, I feel should
4 get-together and devise a plan for people on fixed
5 incomes. In other words, we know everything goes up,
6 taxes go up, utilities, things like that. In fact,
7 just to let you know that the City of Gladstone gives
8 seniors a discount on their water, not much, only
9 amounts to \$4.00 a month, and you have to be 65, but
10 they do give a discount and I think that you all
11 should pursue that for seniors. Probably not a large
12 one that you can afford to do, but at least something
13 to help. Thank you.

14 REGULATORY LAW JUDGE: Thank you, sir.

15 CHAIRMAN KENNEY: Thanks,
16 Mr. Quackenbush.

17 REGULATORY LAW JUDGE: Next is Russell
18 Wojtkiewicz? How do you pronounce your last name?

19 MR. WOJTKIEWICZ: Wojtkiewicz.

20 RUSSELL WOJTKIEWICZ,
21 duly affirmed, testified as follows:

22 REGULATORY LAW JUDGE: Thank you, sir,
23 you may proceed.

24 MR. WOJTKIEWICZ: Russ Wojtkiewicz
25 from Platte County. Some of my former constituents

1 are over here from our neighborhood association,
2 they've come tonight, and I'd like to -- I'm not
3 responsible for everybody being here. Unfortunately,
4 the couple hundred I e-mailed did not show up
5 tonight. We were hoping to pack this place out.

6 I stand to rise against this rate
7 increase. I sincerely apologize to the group that I
8 should have been one to ask why they would ask for
9 the huge amounts of raise in the colder months. With
10 everything else going, I didn't even think to do it.

11 Some of the math that I've been
12 hearing go on, I would have to disagree with. Some
13 of the figures that the folks have come up, they're a
14 little bit wrong. They're saying an eight to \$9.00
15 -- eight to 9 percent increase. Best I can figure,
16 my annual bill will go up \$38.36 and without buying a
17 pound of gas, that's an 11 percent increase; that's
18 ridiculous. Inflation has been way below that for a
19 number of years. We will be paying 362 -- \$360.92
20 just for the privilege of having MGE ship us gas and
21 actually sell us that gas. Whether they're making a
22 dime off of it or not, that's the privilege to do so.
23 There's not another business in America that is
24 allowed to charge every customer out there or
25 potential customer out there a charge just to keep

1 their doors open. This customer service charge needs
2 to be eliminated and a new rate structure applied to
3 these utility companies.

4 I agree that we need to move into the
5 direction of a volume metric charge as the advocacy
6 counsel put it. And that charge, even if it's per
7 year, a company, especially a company as large as any
8 utility company, should know what their costs are
9 going to be. They should be able to project and
10 forecast even with a worse case scenario, what that
11 cost of energy is going to cost them to get it out of
12 the ground and deliver to the home, and then mark
13 that up sufficiently or ask for a rate that's a
14 mark-up of a set fee or a percentage per unit sold to
15 the residents or to the business. That's the only
16 fair way to do it and allow folks that are on fixed
17 incomes to regulate their own usage; lower their
18 thermostats, wear more clothing, shut the gas off and
19 go to Florida if they can afford it for the winter
20 months, if that's cheaper.

21 There's many of the snowbirds that are
22 finding it difficult. It's going to impact the
23 economy and tourist economy if we make it such that
24 the folks that have planned to do that in their
25 retirement can no longer travel to Brownsville and to

1 places south on that, so if other utility companies
2 like, it was mentioned Atlas and Kansas Gas, can do
3 this and have this sort of rate structure, that's
4 what we need in Missouri for both electric and gas.
5 And there's got to be something that allows it to be
6 fair, allows for a reasonable profit. You know, 15
7 percent is not an unreasonable profit. In fact, it
8 can be pretty good. I've been in business for 20
9 years. If I can turn a net gross revenue of about 10
10 percent, I've done very, very well, but I need to --
11 in order for me to make more money, I need to
12 increase my sales. There really -- and it sounds
13 farfetched, and I understand that they, you know,
14 won't sell gas, but there's not incentive for
15 Missouri Gas Energy to sell me a pound of gas if
16 they're not selling the actual gas. We need to get
17 back to that.

18 I would be concerned that this rate
19 increase is covering liability expense from the JJ's
20 restaurant disaster. Are we paying for that? The
21 rebates that they offer to go into more higher
22 efficiency appliances, we're paying for that whether
23 we buy a new appliance or not. Do away with it.
24 That's fine to do away with the rebates. We, as
25 consumers, can make a judgment, well, which one do I

1 want to do? How much do I want to pay, and get a
2 cost return analysis on how much gas I'm going to pay
3 and how much gas and energy that's going to save me,
4 or do I go to an electric appliance to do what the
5 gas appliance does? Let us, the consumers, decide
6 that.

7 More and more in this country our
8 choices of what we want to purchase and what we don't
9 want to purchase are taken away, from healthcare down
10 to utilities. I don't know what will probably be
11 next, but they'll figure it out. And if we want
12 nationalized healthcare, look to what monopolized
13 utilities are doing. Rates haven't stayed the same.
14 Our actual dollar layout every year has gone up. It
15 costs us a larger and larger percentage of our income
16 to purchase these products and heat our homes and
17 carry on with life.

18 So as I said that's about where I'm at
19 this evening. I vote -- not vote, I urge the
20 Commission to reject this outright, this rate charge
21 and overhaul the system and look to a volume metric
22 per unit sold rate charge and do away with the
23 customer service rate. Thank you.

24 CHAIRMAN KENNEY: Mr. Wojtkiewicz,
25 thank you for being here and taking the time to

Public Hearing Vol 6 - February 24, 2014

Page 21

1 gather the troops and showing up. We welcome public
2 participation.

3 MR. WOJTKIEWICZ: You're welcome.

4 CHAIRMAN KENNEY: Thank you for doing
5 that. Did you ask during the question and answer
6 period specifically the question that you just raised
7 about right now about whether any of the increase
8 would be covering expenses associated with the
9 explosion?

10 MR. WOJTKIEWICZ: I did not, others --
11 other had kind of -- had brought that up --

12 CHAIRMAN KENNEY: Do you feel like you
13 got an adequate answer:

14 MR. WOJTKIEWICZ: -- about liability
15 insurance being raised, but I don't know that any of
16 the questions were ever asked and raised.

17 CHAIRMAN KENNEY: I'll tell you like I
18 explained to others, please take advantage of the
19 fact that there are company representatives here that
20 are happy to take time to make sure that you have an
21 adequate explanation for the questions you have.

22 MR. WOJTKIEWICZ: Sure.

23 CHAIRMAN KENNEY: Thank you again.

24 MR. WOJTKIEWICZ: I appreciate it. I
25 don't know if there's any elected officials here, but

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1 I wish we would get more of our elected officials to
2 show up to the Public Service Commission and speak on
3 behalf of their constituents because this is, beyond
4 everything else, it's our daily living expenses that
5 are really affecting our citizens of Clay and Platte
6 county and making the northland an awful expensive
7 place to live and we got to curb that. Thank you.

8 And it might go to the fact Missouri was --
9 unfortunately came out pretty low on the list of or
10 ranked high, if you want to say, it was on the list
11 of the most miserable places to live. High gas and
12 utility costs don't help that factor, and I'm sorry,
13 but my birth state, my home state, I was born in
14 Missouri, I hate to see that rated that way, but
15 maybe we can fix with a lower rate and a more
16 economical and fair rate. It doesn't have to be low
17 just to be low, it has to be fair.

18 CHAIRMAN KENNEY: Thank you, sir.

19 REGULATORY LAW JUDGE: Next we will
20 hear from Todd Cain? Todd Cain? Jo Brown Woodson or
21 Watson, I'm sorry. Watson? Tom VanEyck.

22 MR. VANEYCK: You were reasonably
23 close.

24 REGULATORY LAW JUDGE: I'm sorry?

25 MR. VANEYCK: I said you were

1 reasonably close. That's pretty good.

2 REGULATORY LAW JUDGE: How do you
3 pronounce it?

4 MR. VANEYCK: My name is Tom VanEyck.
5 It's like it was I-k-e, it's just ancestors from the
6 Netherlands and they put more fines.

7 REGULATORY LAW JUDGE: Could you raise
8 your right hand?

9 MR. VANEYCK: Oh, sure.

10 THOMAS VANEYCK,
11 duly affirmed, testified as follows:

12 MR. VANEYCK: I swear and I would
13 include Jesus in that.

14 REGULATORY LAW JUDGE: You may
15 proceed.

16 MR. VANEYCK: There's no bible here.
17 I got to wear these because I'm getting older, not as
18 old as some people here.

19 I've owned my own business and went in
20 business, I was in business to make money and I'm
21 sure the utility companies, since they're companies
22 are in business to make money. But in order to make
23 money I had to compete; they don't. I had to earn
24 the trust and I had to be efficient in the way I did
25 my business. I couldn't automatically just get an

1 increase. I spoke today earlier about what it means
2 to be in business. There's costs and I realize that.
3 There's infrastructure, there's product costs,
4 there's service fees, there's infrastructure to
5 replace, there's taxes and additional fees and
6 there's advertising. Let's take a look at that.

7 Infrastructure initially it's built
8 into the rate. I know they expect to accumulate
9 money over a long time and over that long time they
10 are going to get the return on the costs for the gas
11 used. There is product costs. They have to pay for
12 gas and I know gas goes up and down. It's going
13 down.

14 There's service, service in the way of
15 technology, which should make it significantly less
16 expensive, significantly less expensive to service
17 their customers. And on top of that the service fees
18 should have been built in to the initial cost of the
19 gas -- of the gas product delivered. There's
20 infrastructure replacement. We are hearing these
21 systems are aging. They are 50-years-old. I have a
22 35, 45-year-old house. Some of my stuff is getting
23 old, I have to fix it. But, again, any smart company
24 who hires an accountant, they build that cost in
25 because when you own a business and you intend to

1 sell product for a long period of time that requires
2 a delivery system, you build in those costs. If you
3 don't, you don't belong in business.

4 Taxes and fees: Again A, they should
5 be built in and B, we should be having fewer of them
6 not more.

7 Advertising: I have to advertise my
8 business. Nobody comes to me when they move into the
9 neighborhood and says, "Here's your money."
10 Utilities do, they hook you up because you're there
11 already, so they don't have advertising fees, right?

12 I'm sorry, I don't understand why MGE
13 has to advertise. I don't get it at all. Either you
14 deliver a good quality product with good customer
15 service and everybody loves you or else you need
16 somebody else, we need competition in that case
17 because we need to replace it because then it's just
18 a monopoly, right?

19 Mark-up fees: I spoke earlier, I
20 talked about the car industry. The car industry had
21 mark-up fees in the '80s. I bought a car in the
22 '80s. It cost me an extra 450 bucks because I wanted
23 a Honda. I'll tell you what? I wanted a Honda
24 because it was a great car and I paid the mark-up
25 fee, but you know what? Mark-up fees are gone. You

1 go into any car lot, Toyota doesn't have them,
2 Cadillac doesn't have them. They're not there.
3 Lincoln doesn't have them. There's no mark-up fees
4 because people went and bought the cars somewhere
5 else.

6 You can't do that when you don't have
7 competition. When a gasoline company was having
8 problems with the cost of gasoline and the way that
9 they could make a profit at it, because the cost of
10 the gasoline was going up, they brought in ice cream
11 stores in all their little shops. All the new ones
12 have little ice cream parlors and they sold ice
13 cream. I'll tell you one thing, when it's hot I like
14 that ice cream. I'm going to go in that gas station
15 because I can get ice cream and my kids are in the
16 backseat and they're going, "I want ice cream."

17 When it gets cold out and I have to
18 run my furnace and the price of fuel is going up, I
19 tell my kids, "You ain't getting ice cream, you got
20 to wear a sweater, put a coat on." Maybe MGE needs
21 to sell ice cream. But I need -- they need to be
22 driving the price down. When you don't sell a
23 product at all and you get a \$40.00 fee, I'm sorry,
24 that ain't right. You sell a product, you get paid.
25 If you don't sell a product, you don't get paid. I

1 know our advocate had said that he would like to
2 reduce that ISRS thing. It should be gone. Sell a
3 product at a price you can afford and don't do other
4 incentives and all the other stuff and don't
5 contribute -- and tell your stockholders if they
6 don't like it, then they can support some other less
7 consistent, easy return. That's what business and
8 competition is really about.

9 I really want to buy natural gas from
10 MGE, I don't want to buy ice cream. That's what I
11 had to say. Anybody else have anything you guys want
12 to say?

13 CHAIRMAN KENNEY: Mr. VanEyck, thank
14 you for taking the time to be here and thanks for
15 your comments. I would encourage, to the extent that
16 you have questions about advertising or other costs
17 that didn't get answered adequately during the
18 question and answer period, please take advantage of
19 the representatives that are here. They can perhaps
20 do a better job of explaining what is being included
21 in the rate increase. Thank you for taking the time.

22 MR. VANEYCK: I have one last
23 question; what is the incentive of the PSC to
24 advocate --

25 CHAIRMAN KENNEY: I can't answer your

1 question directly because we're not allowed to by
2 virtue of the fact we are going to sit as judicators
3 of the case. I will make the general conceptual
4 statement that the Public service Commission is to
5 insure just reasonable rates and delivery, and
6 adequate delivery of services. And it's clear to me
7 perhaps that we need to get out and explain better to
8 consumers exactly what it is we do and why we do it
9 because I think there is probably some need for that.
10 I think that was, the first part of this was suppose
11 to explain some of that.

12 MR. VANEYCK: We talked about that a
13 little bit and I see that as a good citizen, I assume
14 you're getting the same gas that you would have an
15 incentive to help and as a member of society, we all
16 hear about the village all the time, that we would
17 want to help our fellow citizens, but with no
18 elective representation on the board, there's no
19 accountability other than what you choose to
20 contribute. And so I'd like to see elected
21 representatives who I can have direct influence on
22 myself. Thank you.

23 CHAIRMAN KENNEY: Thank you.

24 COMMISSIONER STOLL: Thank you for
25 your testimony.

1 REGULATORY LAW JUDGE: Next is Galen
2 Neil. Is there a Galen Neil present? Mary Ruth
3 Bateman.

4 MARY RUTH BATEMAN,
5 duly affirmed, testified as follows:

6 REGULATORY LAW JUDGE: You may
7 proceed.

8 MS. BATEMAN: Several things that I
9 had in mind have already been said, so there's no
10 point in me going over all those things again. And I
11 agree very heartedly. I'm only five years younger
12 than the oldest man who was here and gave his
13 testimony, so I have been around the block as they
14 say. His math is absolutely perfect too, because the
15 increase that you want for the five months, the
16 decrease that you want for the seven months is
17 ridiculous. And no matter -- if you finally have to
18 give an increase, why can't you make it like people
19 that go on the level payment plan. In that respect
20 then it would just be a small increase each month and
21 not this gigantic thing for five months and then
22 trying to lower it, which is utterly ridiculous.

23 There has been on the television news
24 and radio news this winter of all the people that
25 have had to go to agencies in order to get help with

1 their utility bills, mainly gas, in order to be warm.
2 This needs to be taken into consideration because the
3 agencies, where do they get their money? From us in
4 some other way. So we can't afford that either.
5 Somehow or another that has to be recognized. So I
6 think a rate increase is ridiculous and needs to be
7 thought out a lot more clearly than has been. Thank
8 you.

9 COMMISSIONER STOLL: Thank you for
10 your testimony.

11 CHAIRMAN KENNEY: Thank you.

12 REGULATORY LAW JUDGE: Bob Oakes.

13 BOB OAKES,
14 duly affirmed, testified as follows:

15 REGULATORY LAW JUDGE: Thank you, sir.
16 You may proceed.

17 MR. OAKES: The first thing I have to
18 say about the fixed rate is when they first put this
19 in place, you know, some, what, seven, ten years ago,
20 whenever it was, it was sold as a minimum monthly;
21 that if, for instance, the plan was if I didn't use
22 anything, you pay just \$26.00. But minimum monthly
23 means if I use \$15.00 worth of gas, then I should not
24 be charged more than the 26.88. If I use \$50.00 of
25 gas, then I don't have to pay any of that 26.88

Public Hearing Vol 6 - February 24, 2014

Page 31

1 because I have used that minimum monthly of 26.88 and
2 that way I'm buying gas, I'm not just paying for air
3 each month. Just like if I didn't buy groceries at a
4 store, you know, Hy-Vee is not going to bill me
5 \$50.00. That's one of the things I would like to
6 see. And as far as I'm concerned, maybe you should
7 restructure the whole thing as well, but that is at
8 least one decent compromise is to look at that and
9 say, why should you be paying for something and
10 getting nothing? At least you ought to get a chance
11 to recoup some of your money. Okay.

12 REGULATORY LAW JUDGE: Thank you, Mr.
13 Oakes.

14 COMMISSIONER STOLL: Thank you.

15 Chairman KENNEY: Thank you.

16 REGULATORY LAW JUDGE: Ben, I believe
17 Mandin? Is there anyone here named Ben? Is there
18 anyone here who has signed up and not made a
19 statement? Is there anyone who hasn't made a
20 statement who would like to at this point? We've
21 gone through the list. I see one hand immediately to
22 my right and I see another -- we'll take turns.

23 Can you raise your right hand?

24 JULIE ALLEN,

25 duly affirmed, testified as follows:

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Public Hearing Vol 6 - February 24, 2014

Page 32

1 MS. ALLEN: Can you please state and
2 spell your name for the court reporter?

3 MS. ALLEN: My name is Julie,
4 J-u-l-i-e, Allen, A-l-l-e-n.

5 REGULATORY LAW JUDGE: Thank you, you
6 may proceed.

7 MS. ALLEN: I too am on a fixed income
8 and I budget my money very carefully every month. My
9 situation is a little different than a lot of folks
10 here where the house that I'm renting only uses gas
11 in the wintertime. The furnace is the only appliance
12 there that uses gas. And in the summertime I have to
13 pay \$36.00 a month for nothing, supposedly to pipe my
14 gas to me in the summer. I don't use any gas at all
15 because my furnace doesn't run in the summertime.
16 This is part of the problem that I have with the
17 infrastructure going on here. This price hike, it
18 just -- the timing on this really makes people wonder
19 why? It really does, people wonder why. I think
20 that the Commission needs to look into some of the
21 questions that have been raised that have been
22 referred back to the gas company. I think they need
23 to look into the gas company and how they handle
24 these questions and see for themselves how the gas
25 company handles these questions.

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Public Hearing Vol 6 - February 24, 2014

Page 33

1 I also think that when you call and
2 you report a gas leak, there should be something done
3 about it so we don't have things like JJ's happening.
4 I called myself about a gas leak that was in the
5 middle of a street downtown. A man came out and told
6 us, "Oh, well, it's blaugh, blaugh, blaugh," and the
7 amount of gas. "It's not anything that we can do
8 anything about." This gas leak is underneath the
9 street. It's bubbling up where cars and exhaust come
10 through, and I'm thinking to myself, I'm smelling
11 this gas and if it's enough for me to smell, even
12 though that smell is very, very strong compared to
13 the amount of gas there, it's still something that is
14 combustible. And if a car went over that and was
15 either dragging something or backfired or something,
16 what would it do to that gas? That leak is right
17 next to the Kansas City Indian Center where there are
18 normally a lot of people there. Sometimes there are
19 a lot of children there and nothing has been done
20 about that leak to this day. We've reported it
21 two-and-a-half years ago. So where is the need for
22 money for infrastructure when it's not being spent on
23 infrastructure? I've seen no money going into
24 infrastructure, into new infrastructure or going into
25 repairing broken infrastructure. JJ's got attention

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1 because it got media attention. A gas leak in the
2 street in Pennsylvania right next to the Kansas City
3 Indian Center hasn't gotten any attention, and I
4 reported that like two weeks after JJ's and it still
5 hasn't been fixed.

6 So if money isn't being spent to fix
7 things like this, why do we need more money not to
8 fix things? That's basically my thoughts on the
9 situation. I'm totally against this price hike. I
10 don't feel that it's needed. I agree with most of
11 everybody else what they have said who are also
12 against this price hike. I couldn't say it any
13 better myself. Thank you.

14 CHAIRMAN KENNEY: Thanks for being
15 here. I appreciate your time. You made some
16 disturbing comments about active current gas leaks
17 somewhere in the city, so I want to ask you some
18 additional questions about that.

19 Tell me again where is the Kansas City
20 Indian Center, where is that?

21 MS. ALLEN: It's at the corner of
22 Pennsylvania and 39th Street. The gas leak is in the
23 northbound lane of Pennsylvania on the north side of
24 39th Street.

25 CHAIRMAN KENNEY: What is it that --

1 what is the evidence that you observed of the leak?

2 Was it the odor or was there something else?

3 MS. ALLEN: It was the odor. And also
4 when we called the gas company to report it, because
5 I mean this was like right after JJ's explosion
6 happened, and we evacuated our building.

7 CHAIRMAN KENNEY: What building are
8 you in; where?

9 MS. ALLEN: The Kansas City Indian
10 Center. I was volunteering down there at the time
11 and there were several days in a row that we noticed
12 every time we came in that we could smell this gas.
13 And that particular day it was -- the odor was
14 particularly strong, so we called MGE and they sent a
15 guy out and he measured it and told us that
16 everything was okay and I'm like really? I smell
17 gas. Everything is obviously not okay.

18 CHAIRMAN KENNEY: I appreciate --

19 MS. ALLEN: And he showed us where the
20 leak was coming from in the street.

21 CHAIRMAN KENNEY: Okay. Well, I
22 appreciate you taking the time to come bring that to
23 our attention. Someone from our staff is going to
24 want to talk to you.

25 MS. ALLEN: Okay.

1 CHAIRMAN KENNEY: It's a big deal,
2 they need to hear more about it. So I think someone
3 from staff is going to talk to you. I appreciate you
4 taking the time to be here and thank you for sharing
5 your thoughts on the rate increase in particular and
6 the other situation that you described at the Indian
7 Center.

8 MS. ALLEN: Thank you.

9 COMMISSIONER STOLL: Thank you.

10 MR. JACOBS: Ma'am, if I could ask you
11 to talk to Jerry Williams, talk to him right now
12 about the gas leak.

13 REGULATORY LAW JUDGE: Yes, sir.

14 JOE HULLEBUSCH,
15 duly affirmed, testified as follows:

16 MR. HULLEBUSCH: Do I need to give my
17 name or anything?

18 REGULATORY LAW JUDGE: Can you please.

19 MR. HULLEBUSCH: My name is Joe
20 Hullebusch and I'll spell it for you;
21 H-u-l-l-e-b-u-s-c-h. Okay. I've got two things I
22 want to talk about. First off, my mom is almost
23 90-years-old. She only makes \$700 a month Social
24 Security and she's trying to keep her utilities on
25 and she's not going to anybody for any assistance or

1 anything like that, it's going to hurt her. That's
2 the first thing.

3 Now the second thing is, and it's like
4 the guy said back there, if you use no gas at all,
5 they're still charging you a fee so there's no
6 incentive to do anything to cut back your gas use.
7 You're getting hit with a fee. In the summertime
8 sometimes I leave. Like last year I went on vacation
9 for three weeks, I turned off my water heater, I
10 turned off -- well, I had the pilot light on, but
11 they were hitting me up for, I call it a fee for the
12 privilege of doing business with the Gas Service
13 Company, and it was -- there's two different fees and
14 you add them up and it comes to a little over \$29.00
15 a month and that's just a fee if you didn't use any
16 gas.

17 Now, on that same thought there, I've
18 got three rental buildings, okay? They're, you know,
19 they're not commercial, they're residential. And
20 when they're vacant, they are hitting me up for about
21 40, \$41.00, I'm not sure what the exact fee is
22 because it is not my residence. So my residence they
23 are hitting me a \$29.00 fee for doing business with
24 them, and then any rental house that I got that I got
25 vacant, that I'm working on, even if it's in the

1 summertime, they are hitting me up of 40 some dollar
2 fee for the privilege of doing business with them and
3 I don't think that's fair. I'm not getting a fair
4 shake on that deal. It's a house just like anybody
5 else's house. And that's the only thing I got to say
6 so.

7 You know, I don't mind paying my gas
8 bill and I do pay the gas bill or otherwise they
9 would never turn it on when they became vacant, but a
10 little over \$40.00 month just for the privilege of
11 doing business with them? That's -- nobody's living
12 there, if you don't have a water heater on you, if
13 you don't have the furnace on.

14 COMMISSIONER STOLL: Thank you for
15 your testimony.

16 CHAIRMAN KENNEY: Mr. Hullebusch,
17 thank you for being here. I was good to say if you
18 have questions about why your non-primary residence
19 is getting charged the difference, fixed charge than
20 the primary residence, I believe that's the question
21 you have, you should ask the people from MGE and they
22 will provide.

23 MR. HULLEBUSCH: Those people over
24 there?

25 REGULATORY LAW JUDGE: Yes, sir.

1 FRED SEELEY,

2 duly affirmed, testified as follows:

3 REGULATORY LAW JUDGE: Thank you, sir.

4 Please state and spell your name for the reporter?

5 MR. SEELEY: My name is Fred, F-r-e-d,
6 Seeley, S-e-e-l-e-y. Most of the comments I've heard
7 here pretty well describe the issue and I'm going to
8 hit one subject that hasn't come up. I have a lot of
9 friends that are in HUD housing, big project 200, age
10 limit is 62 plus certain incomes. They have gas
11 heat. And two of my friends are with Missouri Gas
12 Energy. They never turn off the gas because, and I
13 talked to them today, they count the service charge
14 during the warm months as a very, very important part
15 of their revenue and they confirmed that. It is an
16 important part of their revenue. It's a pretty good
17 deal when you can try to get something through that
18 amount to \$42.00 a month, and then you can go back in
19 the so called warm months and only pay back 26, 25
20 something like that, and a lot of these people really
21 don't have the money to have to keep on a meter
22 because they say there's a pilot light. Now this is
23 from MGE. Well, the two problems, and they're not
24 projects, these are nice places, they are both up
25 here north, they have a electronic ignition source.

1 In other words, you here a click, I heard one today.
2 That is not what we commonly think of as a pilot
3 light because it is a pilot light and MGE simply will
4 not come out and remove the meters. You cannot shut
5 off your gas. They tell me they would be subject to,
6 and one case they call it banishment. In the other
7 case they call it eviction because in the lease it
8 says you'll keep on the gas and electricity, not on
9 the water and there's no need for the gas or to have
10 the privilege of paying for something that you're not
11 using, especially as the one person said, I think he
12 might have said 150 a month and he's looking at God,
13 you know, this is not peanuts.

14 And I think the thing that is kind of
15 amazing to me is we can only hope that the Commission
16 that I'll call you fellows representing, you are
17 representatives of the commission, is this correct?

18 COMMISSIONER STOLL: We are.

19 REGULATORY LAW JUDGE: Yes.

20 MR. SEELEY: Okay. That you're fair
21 and I know you are, I certainly hope so, because when
22 you look at what has happened, and I can look on the
23 other side of State Line and see Kansas Gas in
24 Overland Park and they're at \$15.00 a month and they
25 pass through the gas and to do their little mark-up

1 and they have the same type of franchise fees, not
2 nearly as thorough and as extensive as Missouri Gas
3 Energy. Missouri Gas Energy is a monopoly. They've
4 had no competition thanks to the -- since 1913 you
5 all have been around, is that correct? That's an
6 awful long time. And for everybody to remain on the
7 up and up for all the 101 years or getting close to
8 it, so it leaves a little bit of thought when I can
9 tell you that Wichita, with terrible winters, they
10 get their gas from a company in Waco, Texas called
11 Atlas. Their service charge is less than \$20.00.
12 Okay. That's just that one.

13 You all probably know what Jeff City
14 is, what gas company, if you live there. I couldn't
15 tell you what -- I didn't know Joplin was Missouri
16 Gas Energy, but I guess it is. I'm just not sure
17 about MGE and their -- it's a problem with me when
18 they have investors. It's a problem with me --
19 they're not a non-for-profit they are a for-profit
20 and we don't have a notion of what kind of return on
21 investment these people are expecting and that you
22 all are allowing. And I don't think they publish it
23 or if they do, it's an investor's report. And this
24 is one of the things I guess we have to put our faith
25 in the counsel, you know, for us poor folks, and hope

1 and I honestly don't think your plan has a prayer
2 because it's reasonable and they're not going to go
3 with being reasonable and any fool knows that, and I
4 would like to think I'm not a fool and most of the
5 people here are not fools. They know what's coming
6 down. Missouri Gas Energy will do anything that they
7 have to do to keep that price that -- they have got
8 it worked up to \$40.00 and will probably get it.

9 Now how does that compare with Kansas?
10 How does that compare with Arkansas? How does it
11 compare with Texas? How does it compare with Iowa?
12 Did this ever even enter into the equation? These
13 are things that have got to be looked into and I hope
14 the Commission and I believe I have enough faith in
15 what I see here that you all will at least be
16 impartial. Have you all ever turned down MGE for any
17 increases? Has it ever happened? That's just a
18 simple question. Have you ever turned them down?
19 And if so, was it a total turndown, partial turndown?
20 When did something like this happen where you
21 actually denied a rate increase, or is it something
22 that you cannot discuss? It's matter of public
23 record.

24 CHAIRMAN KENNEY: I will let you
25 finish.

Public Hearing Vol 6 - February 24, 2014

Page 43

1 MR. SEELEY: All right. I'm finished.

2 CHAIRMAN KENNEY: Thank you for taking
3 the time to be here. You're right, it is a matter of
4 public record and obviously as you know we cannot
5 answer questions.

6 MR. SEELEY: I don't know the answer.

7 CHAIRMAN KENNEY: I'll give you a
8 general answer. I'll just give you a general comment
9 about rate increases. Typically, I'm not talking
10 about MGE, I'm talking about any specific case.
11 Typically, the rate increase that is granted is less
12 than what is requested. So if you want further
13 explanation, I think there are members of our staff
14 that can help you with that. Thank you for taking
15 time to be here.

16 COMMISSIONER STOLL: I'd also mention
17 that there are members of our staff here, if you'd
18 raise your hand, please? This is suppose to be on, I
19 guess the battery is dead. A couple of the folks
20 standing back there are staff matters and the lady
21 over here. If you do have specific questions, please
22 feel free to ask them. Commissioner Kenney and I
23 will eventually sit in judgment of this case and we
24 can't prejudice ourselves before you, so we're here
25 to listen to you. And if you do have specific

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Public Hearing Vol 6 - February 24, 2014

Page 44

1 questions though, you can ask our staff.

2 REGULATORY LAW JUDGE: Yes, sir.

3 MR. DELANEY: May I speak?

4 REGULATORY LAW JUDGE: Yes. Please
5 step forward.

6 MR. DELANEY: My name is Mike Delaney.

7 MICHAEL DELANEY,

8 duly affirmed, testified as follows:

9 REGULATORY LAW JUDGE: Thank you, sir,
10 you may proceed.

11 MR. DELANEY: I have three questions
12 here. No. 1 is, are your -- are you folks elected or
13 appointed, the Commission?

14 CHAIRMAN KENNEY: We're appointed.

15 MR. DELANEY: You're appointed. And
16 if you're appointed, who are you appointed by?

17 CHAIRMAN KENNEY: We are appointed by
18 the governor, six year terms, and then we are subject
19 to the same confirmation.

20 MR. DELANEY: Governor, senate
21 confirmation?

22 CHAIRMAN KENNEY: Yes, sir.

23 MR. DELANEY: Is it a paid position or
24 volunteer position?

25 CHAIRMAN KENNEY: It is a paid

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1 full-time job.

2 MR. DELANEY: Paid full-time?

3 CHAIRMAN KENNEY: Yes, sir.

4 MR. DELANEY: And the last question
5 comes in two parts. I would like to know the
6 percentage of profit that Missouri Gas Energy has
7 approved for 2011-2012 to report to its stockholders?

8 CHAIRMAN KENNEY: I don't know the
9 answer to that question. I'm happy to answer the
10 general questions that you asked, that's all
11 available on our website, but when you start asking
12 specific questions about the nature of the case, we
13 cannot answer those. I would ask, though, if you
14 have specific questions about the company's SCC
15 filing, one of their lawyers will be able to be help
16 -- be helpful to you in finding the answer to that
17 question.

18 MR. DELANEY: Okay. Thank you very
19 much.

20 REGULATORY LAW JUDGE: Is there anyone
21 else who would like to make a statement? I see two
22 more people right here in front of me. And then over
23 here, sir, with the -- I believe that's a M.U. hat.

24 Can you raise your right hand?

25 DONALD JACKSON,

1 duly affirmed, testified as follows:

2 REGULATORY LAW JUDGE: Thank you.

3 Would you state and spell your last name?

4 MR. JACKSON: Donald Jackson,
5 D-o-n-a-l-d, J-a-c-k-s-o-n. I live in a small
6 community in Clay County, a farming community at
7 Birmingham, and I have a high efficiency problem. I
8 have lived there for four years and I put in a
9 high-efficiency furnace and I took out a fuel furnace
10 that was in there when I moved in, and I put in
11 windows and I insulated the house and everything else
12 and still the gas company -- see, the only thing I
13 have on gas is the furnace, so I shut the gas off
14 every summer when the furnace goes off because that
15 high-efficiency furnace doesn't have a pilot light,
16 so I switched it. I have a main breaker in the
17 basement that I switch it from the furnace to the air
18 conditioning, and I put in central air. I got a
19 notice from the gas company that I couldn't shut the
20 gas off and they had a flat rate each month that they
21 charged me even though I wasn't using any gas. They
22 charged me the 26.88 minimum charge for a flat rate
23 anytime I had that furnace shut off in the
24 summertime, so the only time I use the furnace was in
25 the wintertime. And now they're asking to raise the

Public Hearing Vol 6 - February 24, 2014

Page 47

1 winter rates to 40.95, which is ridiculous as far as
2 I'm concerned, due to the fact that I don't use any
3 gas in the summertime. So the seven months that
4 they're going to bring it down it will help me, but
5 they shouldn't charge my anything at all if I'm not
6 using any gas. That's my comment.

7 REGULATORY LAW JUDGE: Thank you, sir.

8 COMMISSIONER STOLL: Thank you for
9 your testimony.

10 STEVEN HEATHMAN,
11 duly affirmed, testified as follows:

12 REGULATORY LAW JUDGE: Can you state
13 your name for the court reporter?

14 MR. HEATHMAN: Steven Heathman,
15 H-e-a-t-h-m-a-n.

16 REGULATORY LAW JUDGE: Thank you.
17 Sir, you may proceed.

18 MR. HEATHMAN: I'd like to start off
19 by just saying, whatever is approved I think it
20 should be a flat rate throughout the year. I have
21 four kids at home. I can't -- I don't need to worry
22 about is this month the month it goes up \$15.00 or is
23 this the month that it goes down \$20.00? I can't --
24 I have enough to worry about in my life rather than a
25 \$15.00 increase month to month. I can't handle that,

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Public Hearing Vol 6 - February 24, 2014

Page 48

1 I don't want to. I'm not on a fixed income. I do
2 have a job. I get annual raises just like most
3 people that have a normal job. The way I've done the
4 math this is an 11.8 percent increase, roughly 12
5 percent increase that MGE is asking for. I average
6 about a 3 percent raise a year, so they can request
7 one of these every three years. The way I do my
8 math, that's only, you know, nine percent for me and
9 I get the -- as it goes up it will increase, but
10 that's essentially saying every raise I get now for
11 the next three years, you know, I'm not even catching
12 up with what they are wanting now and they can
13 increase that again in another three years. I, you
14 know, it will take me 27 hours with my pay increase.
15 After I work 27 hours that will pay for this increase
16 for my job. Well, I work 160 hours a month unless I
17 have to work overtime, so you're telling me that the
18 better part of a week out of my pay raise has to now
19 go to MGE if this full amount was incurred? And
20 that's a lot of money. At this point, my pay raise,
21 I'm not able to take it home. I'm not even able to
22 factor into the cost of insurance going up. I'm not
23 able to factor into if KCPL's rates go up or anything
24 else, that's just to cover my MGE. That's the better
25 part of, you know, 20 percent of my monthly income

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1 raise is now going to go to MGE if that full rate was
2 approved.

3 I don't know what this race is for in
4 general. I don't know if this is a cost of doing
5 business rate increase and I don't understand if this
6 is for new stuff, but if it's just a cost of doing
7 business, you know, I'm trying to get more -- you
8 know, they're telling me that their cost of business
9 went up 11 percent or 12 percent and that's what they
10 see across the board. Why is it so out of line then
11 with what the normal cost of living expenses is going
12 to be? It seems greatly off kilter. I mean if every
13 -- that's like saying then if everything is going to
14 go up 11 percent, then I can see that, but I don't
15 see my grocery bill going up 11 percent. I don't see
16 everything else jumping up in those massive amounts.

17 You know, everyone keeps saying that
18 they have a monopoly. I can choose to cut wood. I
19 can choose to do a fire at my house. I can choose to
20 do propane. I choose to use gas because I don't want
21 to worry about running out, and I don't want to go
22 outside during the winter and throw wood on the fire.
23 It's just a choice I made, but I also don't have a
24 choice to use anybody else other than MGE, so this 11
25 percent increase I don't have a choice in my use of

1 fuel, I don't have a choice any other way. And 11
2 percent is, that's a lot of money, 12 percent
3 essentially, that's a lot of money for me to not get
4 any extra services out of just for them to have more
5 money.

6 And is this money also coming out of
7 their -- are they losing money every year? Are they
8 in the hole? Are they showing -- or are they showing
9 record profits? I don't know and I get that I can
10 talk to one of their lawyers before I walk out of
11 here, but this money that is being increased is it --
12 is it essentially helping them to show bigger profits
13 at the end of the year? And if so, why is it
14 something that they can take away from us instead of
15 something that they can earn by hard work and sweat
16 essentially. That's all I have.

17 REGULATORY LAW JUDGE: Thank you, sir.

18 COMMISSIONER STOLL: Thank you for
19 your testimony. Is there anyone else that would like
20 to make a statement? Okay. The gentleman in the
21 back or lady.

22 JOSEPH PESCH,
23 duly affirmed, testified as follows:

24 REGULATORY LAW JUDGE: State your name
25 for the court reporter?

1 MR. PESCH: Joe Pesch.

2 REPORTER: Can you spell your last
3 name?

4 MR. PESCH: P-e-s-c-h.

5 REGULATORY LAW JUDGE: Thank you, you
6 may proceed.

7 MR. PESCH: I was just going to say
8 that -- that they need to -- the increase needs to
9 be, try to keep it down low with cost of living and
10 everything so. Like I get energy -- energy
11 assistance and if they're going to increase the gas
12 bill, then they need to also increase my energy
13 assistance, so that, you know, keep it, the gas, like
14 he was saying the bill down with the adjust it, keep
15 it down with, along with the cost of living increase
16 and everything like -- like everything else, they
17 need to -- and they need to maybe, if they're going
18 to increase the gas, they also need to increase the
19 amount of energy assistance for the people to get
20 energy assistance, increase the amount of energy
21 assistance that they get.

22 COMMISSIONER STOLL: Thank you for
23 your testimony.

24 MR. PESCH: Okay. Thank you.

25 REGULATORY LAW JUDGE: Is there anyone

Public Hearing Vol 6 - February 24, 2014

1 else here that would like to make a statement on the
2 record? Okay. I don't see anyone else raising their
3 hands, so we will go off the record and I thank you
4 all for participating.

5 (WHEREIN, the hearing was concluded at
6 8:30 p.m.)

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I N D E X

(No Exhibits were marked.)

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CERTIFICATE OF REPORTER

STATE OF MISSOURI)
) ss.
CITY OF GLADSTONE)

I, Mary Lynn Cushing, a Certified Court Reporter (MO), do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness 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 deposition 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.

Mary Lynn Cushing, CCR #1077

Public Hearing Vol 6 - February 24, 2014

[1 - appearances]

Page 55

1	29.00 37:14,23	8	adequately 27:17	allen 31:24 32:1,3,4,7 34:21 35:3,9 35:19,25 36:8
1 7:22 44:12	3	8 7:23	adjust 51:14	allow 18:16
10 8:3 19:9	3 48:6	80s 25:21,22	advantage 15:13 21:18 27:18	allowed 17:24 28:1
101 41:7	3.19 11:22	816 1:22	advertise 9:20 25:7,13	allowing 41:22
1077 54:19	35 24:22	8:30 52:6	advertising 9:17,18 24:6 25:7,11 27:16	allows 19:5,6
11 17:17 49:9 49:14,15,24 50:1	36.00 32:13	9	advocacy 18:5	amazing 40:15
11.8 48:4	360.92 17:19	9 17:15	advocate 27:1 27:24	america 17:23
12 48:4 49:9 50:2	362 17:19	9.00 17:14	advocating 7:24	amount 33:7 33:13 39:18 48:19 51:19 51:20
1301 1:21	38.36 17:16	90 11:2,12 36:23	affirm 10:17	amounts 16:9 17:9 49:16
15 19:6	39th 34:22,24	9th 11:3	affirmed 5:19 6:13 7:5 10:14 12:13 13:13 15:24 16:21 23:11 29:5 30:14 31:25 36:15 39:2 44:8 46:1 47:11 50:23	analysis 20:2
15.00 30:23 40:24 47:22 47:25	4	a	afford 16:12 18:19 27:3 30:4	ancestors 23:5
150 40:12	4.00 16:9	ability 12:20 54:9	age 39:9	andrew 10:10 10:13
160 48:16	40 8:5 37:21 38:1	able 4:16 14:18 15:1 18:9 45:15 48:21,21,23	agencies 29:25 30:3	annual 17:16 48:2
1913 41:4	40.00 26:23 38:10 42:8	absolutely 29:14	aging 24:21	answer 5:3 14:10 15:11 21:5,13 27:18 27:25 43:5,6,8 45:9,9,13,16
2	40.95 11:15 47:1	account 4:11	ago 30:19 33:21	answered 3:2 3:4 15:10 27:17
2.33 5:23	41.00 37:21	accountability 28:19	agree 6:22 18:4 29:11 34:10	anthony 6:11 6:12,16 7:3
2.33. 11:20,20	42.00 39:18	accountant 24:24	ahead 5:11	anybody 27:11 36:25 38:4 49:24
20 19:8 48:25	45 24:22	accumulate 24:8	ain't 26:19,24	anytime 46:23
20.00 47:23	450 25:22	action 54:11 54:16	air 11:4,6,7 31:2 46:17,18	apologize 15:17 17:7
20.00. 41:11	5	active 34:16		appearances 2:10
200 39:9	50 8:5 24:21	actual 19:16 20:14		
2011-2012 45:7	50.00 30:24	add 13:22 37:14		
2014 1:7	50.00. 31:5	adding 6:7		
2014-0007 1:12 2:9	6 1:9	additional 24:5 34:18		
22 8:11 9:13	60 8:5	address 5:8		
221-1160 1:22	62 39:10	adequate 21:13,21 28:6		
24th 1:7	64106 1:21			
25 39:19	65 16:9			
26 39:19	68 8:3			
26.00. 30:22	7			
26.88 30:25 31:1 46:22	700 36:23			
26.88. 30:24	79 6:17			
27 48:14,15	7:00 3:23 4:5			

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<p>appearing 2:21</p> <p>appears 54:6</p> <p>appliance 19:23 20:4,5 32:11</p> <p>appliances 7:25 19:22</p> <p>applicable 14:8</p> <p>applied 18:2</p> <p>appointed 44:13,14,15 44:16,16,17</p> <p>appreciate 4:20,25 10:2,5 12:6,9 21:24 34:15 35:18 35:22 36:3</p> <p>approved 45:7 47:19 49:2</p> <p>area 15:7</p> <p>arithmetic 11:21,22</p> <p>arkansas 42:10</p> <p>asked 7:10 21:16 45:10</p> <p>asking 45:11 46:25 48:5</p> <p>assistance 36:25 51:11 51:13,19,20 51:21</p> <p>associated 21:8</p> <p>association 17:1</p> <p>assume 28:13</p> <p>atlas 19:2 41:11</p>	<p>attention 33:25 34:1,3 35:23</p> <p>attorney 54:13</p> <p>audience 3:25 4:3</p> <p>auernheimer 5:12,14,18,22</p> <p>automatically 23:25</p> <p>avail 14:16</p> <p>available 45:11</p> <p>average 11:23 48:5</p> <p>awful 22:6 41:6</p> <p style="text-align: center;">b</p> <p>b 1:21 25:5 36:21</p> <p>back 5:5,8 19:17 32:22 37:4,6 39:18 39:19 43:20 50:21</p> <p>backfired 33:15</p> <p>backseat 26:16</p> <p>ball 7:3,4,8 10:4</p> <p>banishment 40:6</p> <p>basement 46:17</p> <p>basically 34:8</p> <p>bateman 29:3 29:4,8</p> <p>battery 43:19</p> <p>beginning 2:10</p>	<p>behalf 2:12 7:8,10 22:3</p> <p>believe 12:11 31:16 38:20 42:14 45:23</p> <p>belong 25:3</p> <p>ben 31:16,17</p> <p>benefitting 13:1,2</p> <p>best 17:15 54:8</p> <p>better 4:2 14:20 27:20 28:7 34:13 48:18,24</p> <p>beyond 22:3</p> <p>bible 23:16</p> <p>big 36:1 39:9</p> <p>bigger 50:12</p> <p>bill 5:25 6:5 11:14,20 13:22 17:16 31:4 38:8,8 49:15 51:12 51:14</p> <p>billing 9:11</p> <p>bills 9:25 12:23 30:1</p> <p>birmingham 46:7</p> <p>birth 22:13</p> <p>bit 17:14 28:13 41:8</p> <p>blaugh 33:6,6 33:6</p> <p>bless 12:2</p> <p>block 29:13</p> <p>board 28:18 49:10</p> <p>bob 30:12,13</p> <p>borgmeyer 2:20,22</p>	<p>born 22:13</p> <p>bought 11:6 25:21 26:4</p> <p>break 6:4</p> <p>breaker 46:16</p> <p>briefly 3:21</p> <p>bring 35:22 47:4</p> <p>broken 8:21 33:25</p> <p>brought 21:11 26:10</p> <p>brown 22:20</p> <p>brownsville 18:25</p> <p>bubbling 33:9</p> <p>bucks 25:22</p> <p>budget 32:8</p> <p>build 24:24 25:2</p> <p>building 35:6 35:7</p> <p>buildings 37:18</p> <p>built 24:7,18 25:5</p> <p>business 17:23 18:15 19:8 23:19,20 23:20,22,25 24:2,25 25:3,8 27:7 37:12,23 38:2,11 49:5,7 49:8</p> <p>buy 19:23 27:9,10 31:3</p> <p>buying 7:18 8:19 17:16 31:2</p> <p style="text-align: center;">c</p> <p>c 36:21 46:5 51:4</p>	<p>cadillac 26:2</p> <p>cain 22:20,20</p> <p>call 3:7 6:4 33:1 37:11 40:6,7,16</p> <p>called 2:24 33:4 35:4,14 39:19 41:10</p> <p>cannot 8:12</p> <p>car 25:20,20 25:21,24 26:1 33:14</p> <p>care 7:17</p> <p>carefully 32:8</p> <p>carry 20:17</p> <p>cars 26:4 33:9</p> <p>case 2:6,8 18:10 25:16 28:3 40:6,7 43:10,23 45:12</p> <p>catch 8:7,11 9:13</p> <p>catching 48:11</p> <p>caulking 8:18</p> <p>ccf 9:10</p> <p>ccr 1:20 54:19</p> <p>center 33:17 34:3,20 35:10 36:7</p> <p>central 46:18</p> <p>certain 39:10</p> <p>certainly 40:21</p> <p>certificate 54:1</p> <p>certified 54:4</p> <p>certify 54:5</p> <p>chairman 1:15 2:6,7 3:19,21 4:1,4 10:4 12:4</p>
--	--	---	---	---

Public Hearing Vol 6 - February 24, 2014

[chairman - cushing]

Page 57

14:3,5,6,15 15:8,15 16:15 20:24 21:4,12 21:17,23 22:18 27:13 27:25 28:23 30:11 31:15 34:14,25 35:7 35:18,21 36:1 38:16 42:24 43:2,7 44:14 44:17,22,25 45:3,8 chance 5:1 31:10 change 14:19 charge 17:24 17:25 18:1,5,6 20:20,22 38:19 39:13 41:11 46:22 47:5 charged 30:24 38:19 46:21 46:22 charging 11:15 37:5 cheaper 18:20 chemo 8:4 children 33:19 choice 49:23 49:24,25 50:1 choices 20:8 choose 28:19 49:18,19,19 49:20 citizen 28:13 citizens 7:9,14 22:5 28:17 city 1:21 4:12 16:7 33:17 34:2,17,19	35:9 41:13 54:3 clarify 13:17 clay 22:5 46:6 clear 28:6 clearly 30:7 click 40:1 close 12:25 13:6 22:23 23:1 41:7 clothes 8:2 clothing 18:18 coat 26:20 cold 5:25 8:7 26:17 colder 6:20 17:9 coldest 13:19 14:1 combustible 33:14 come 10:24 11:16 12:5 15:17 17:2,13 33:9 35:22 39:8 40:4 comes 25:8 37:14 45:5 coming 4:25 5:9 35:20 42:5 50:6 commend 12:5 comment 43:8 47:6 comments 27:15 34:16 39:6 commercial 37:19 commission 1:2 2:7,19,21 14:24 16:3	20:20 22:2 28:4 32:20 40:15,17 42:14 44:13 commissioner 1:16 2:8 4:23 10:8 13:9 15:20 28:24 30:9 31:14 36:9 38:14 40:18 43:16 43:22 47:8 50:18 51:22 commission... 3:12 4:13 commonly 40:2 community 46:6,6 companies 11:10 18:3 19:1 23:21,21 company 1:12 8:11 11:3,7,24 14:11,18,23 18:7,7,8 21:19 24:23 26:7 32:22,23,25 35:4 37:13 41:10,14 46:12,19 company's 45:14 compare 42:9 42:10,11,11 compared 33:12 compete 23:23 competition 9:18,19 25:16 26:7 27:8 41:4	compromise 31:8 conceptual 28:3 concerned 8:13 19:18 31:6 47:2 concluded 52:5 conditioner 11:6,7 conditioners 11:5 conditioning 46:18 confirmation 44:19,21 confirmed 39:15 conserving 6:21 consider 13:5 consideration 4:17 30:2 consistent 27:7 constituents 16:25 22:3 consumers 19:25 20:5 28:8 contact 5:5 contribute 27:5 28:20 copies 4:15 corner 34:21 correct 40:17 41:5 correctly 5:13 10:11 cost 6:3 9:12 13:23 18:11 18:11 20:2	24:18,24 25:22 26:8,9 48:22 49:4,6,8 49:11 51:9,15 costing 13:20 costs 6:22 7:16 8:15,22 8:24 9:3,9,23 11:1,25 12:19 18:8 20:15 22:12 24:2,3 24:10,11 25:2 27:16 counsel 2:15 2:17 14:25 18:6 41:25 54:10,14 count 39:13 country 13:4 20:7 county 16:25 22:6 46:6 couple 17:4 43:19 court 32:2 47:13 50:25 54:5 cover 13:17 48:24 covered 13:17 14:13 covering 19:19 21:8 cream 26:10 26:12,13,14 26:15,16,19 26:21 27:10 curb 22:7 current 34:16 currently 4:12 cushing 1:20 54:4,19
--	--	--	---	--

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<p>customer 13:1 17:24,25 18:1 20:23 25:14</p> <p>customers 24:17</p> <p>cut 7:11,12 37:6 49:18</p>	<p>describe 39:7</p> <p>described 36:6</p> <p>deserve 6:23</p> <p>design 11:18 14:11,12,21 15:2</p> <p>devise 16:4</p> <p>difference 38:19</p> <p>different 32:9 37:13</p> <p>difficult 18:22</p> <p>dime 17:22</p> <p>direct 28:21</p> <p>direction 18:5 54:10</p> <p>directly 28:1</p> <p>disagree 17:12</p> <p>disaster 19:20</p> <p>discount 16:8 16:10</p> <p>discuss 42:22</p> <p>discussion 14:14</p> <p>diseases 8:8</p> <p>disturbing 34:16</p> <p>division 1:12</p> <p>doctor 8:10</p> <p>doing 4:7 11:13 20:13 21:4 37:12,23 38:2,11 49:4,6</p> <p>dollar 20:14 38:1</p> <p>donald 45:25 46:4</p> <p>doors 18:1</p> <p>double 9:11</p> <p>downtown 33:5</p>	<p>dragging 33:15</p> <p>driving 26:22</p> <p>due 47:2</p> <p>duly 5:19 6:13 7:5 10:14 12:13 13:13 15:24 16:21 23:11 29:5 30:14 31:25 36:15 39:2 44:8 46:1 47:11 50:23 54:7</p>	<p>elective 28:18</p> <p>electric 19:4 20:4</p> <p>electricity 40:8</p> <p>electronic 9:21 39:25</p> <p>eliminated 18:2</p> <p>else's 38:5</p> <p>employed 54:11,14</p> <p>employee 54:13</p> <p>encourage 14:16 27:15</p> <p>ends 6:18</p> <p>energy 1:12 2:11,13 7:24 12:22 18:11 19:15 20:3 39:12 41:3,3 41:16 42:6 45:6 51:10,10 51:12,19,20 51:20</p> <p>enter 42:12</p> <p>entries 2:10</p> <p>equation 42:12</p> <p>especially 18:7 40:11</p> <p>essentially 48:10 50:3,12 50:16</p> <p>evacuated 35:6</p> <p>evening 3:22 4:5,24 20:19</p> <p>eventually 43:23</p> <p>everybody 3:22 12:19</p>	<p>14:8 17:3 25:15 34:11 41:6</p> <p>everybody's 5:25</p> <p>eviction 40:7</p> <p>evidence 35:1</p> <p>exact 37:21</p> <p>exactly 28:8</p> <p>exhaust 33:9</p> <p>exhibits 53:3</p> <p>expect 24:8</p> <p>expecting 41:21</p> <p>expense 19:19</p> <p>expenses 7:1 21:8 22:4 49:11</p> <p>expensive 22:6 24:16,16</p> <p>explain 28:7 28:11</p> <p>explained 12:18 21:18</p> <p>explaining 27:20</p> <p>explanation 14:20 21:21 43:13</p> <p>explosion 21:9 35:5</p> <p>express 12:17</p> <p>extensive 41:2</p> <p>extent 27:15</p> <p>extra 25:22 50:4</p>
<p>d</p> <p>d 39:5 46:5,5 53:1</p> <p>daily 22:4</p> <p>day 33:20 35:13</p> <p>days 35:11</p> <p>dead 43:19</p> <p>deal 36:1 38:4 39:17</p> <p>debate 8:10</p> <p>decent 31:8</p> <p>decide 7:20 20:5</p> <p>decrease 29:16</p> <p>degrees 8:3</p> <p>delaney 44:3,6 44:6,7,11,15 44:20,23 45:2 45:4,18</p> <p>deleting 7:17</p> <p>deliberations 4:11</p> <p>deliver 18:12 25:14</p> <p>delivered 24:19</p> <p>delivery 25:2 28:5,6</p> <p>denied 42:21</p> <p>deny 6:19</p> <p>deposition 54:7,12</p>	<p>e</p> <p>e 17:4 23:5 32:4,4 36:21 39:5,6,6,6 47:15 51:4 53:1</p> <p>earlier 9:21 14:14 24:1 25:19</p> <p>earn 11:1 23:23 50:15</p> <p>easy 27:7</p> <p>economical 22:16</p> <p>economy 18:23,23</p> <p>efficiency 12:22 19:22 46:7,9,15</p> <p>efficient 7:24 11:12 23:24</p> <p>eight 17:14,15</p> <p>either 3:12 14:17 25:13 30:4 33:15</p> <p>elected 21:25 22:1 28:20 44:12</p>	<p>f</p> <p>f 39:5</p> <p>fact 4:13 12:6 16:6 19:7 21:19 22:8 28:2 47:2</p>		

factor 22:12 48:22,23	fines 23:6	former 16:25	32:14,14,22	16:6 17:12,16
fair 14:15 18:16 19:6 22:16,17 38:3 38:3 40:20	finish 42:25	forward 4:21 5:9 44:5	32:23,24 33:2 33:4,7,8,11,13	18:19 19:21 20:4 22:8
faith 41:24 42:14	finished 43:1	four 4:12 5:6 46:8 47:21	33:16 34:1,16 34:22 35:4,12	26:1,14 29:19 29:25 39:18 42:2 48:19,23 49:1,14,21 52:3
families 8:1	fire 49:19,22	franchise 41:1	35:17 36:12	god 10:20 12:2 40:12
far 31:6 47:1	first 2:9 5:17 12:17 28:10 30:17,18 36:22 37:2	fred 39:1,5	37:4,6,12,16 38:7,8 39:10	goes 16:5 24:12 46:14 47:22,23 48:9
farfetched 19:13	five 5:25 6:3 13:25 29:11 29:15,21	free 43:22	39:11,12 40:5 40:8,9,23,25 41:2,3,10,14 41:16 42:6 45:6 46:12,13 46:13,19,20 46:21 47:3,6 49:20 51:11 51:13,18	going 6:1 7:13 8:20,21 9:6,7 12:19 13:16 13:23 17:10 18:9,11,22 20:2,3 24:10 24:12 26:10 26:14,16,18 28:2 29:10 31:4 32:17 33:23,24 35:23 36:3,25 37:1 39:7 42:2 47:4 48:22 49:1,11 49:13,15 51:7 51:11,17
farming 46:6	fix 22:15 24:23 34:6,8	friends 39:9 39:11	gasoline 26:7 26:8,10	good 3:21 11:21 19:8 23:1 25:14,14 28:13 38:17 39:16
february 1:7	fixed 7:11,14 16:4 18:16 30:18 32:7 34:5 38:19 48:1	front 45:22	gather 21:1	gotten 3:3 34:3
fee 18:14 25:25 26:23 37:5,7,11,15 37:21,23 38:2	flat 46:20,22 47:20	fuel 26:18 46:9 50:1	general 1:11 8:16 28:3 43:8,8 45:10 49:4	governor 44:18,20
feel 2:3 9:8 16:3 21:12 34:10 43:22	florida 18:19	full 45:1,2 48:19 49:1	gentleman 50:20	gr 1:12 2:9
fees 24:4,5,17 25:4,11,19,21 25:25 26:3 37:13 41:1	folks 14:25 17:13 18:16 18:24 32:9 41:25 43:19 44:12	furnace 6:2,2 11:13 26:18 32:11,15 38:13 46:9,9 46:13,14,15 46:17,23,24	getting 9:25 13:21 23:17 24:22 26:19 28:14 31:10 37:7 38:3,19 41:7	grand 11:3
fellow 28:17	follows 5:19 6:13 7:5 10:14 12:13 13:13 15:24 16:21 23:11 29:5 30:14 31:25 36:15 39:2 44:8 46:1 47:11 50:23	furnaces 11:12	gigantic 29:21	granted 43:11
fellows 40:16	food 7:16	further 43:12 54:12	give 7:19 10:18 16:10 29:18 36:16 43:7,8	
fewer 25:5	fool 42:3,4	g	given 5:8	
figure 17:15 20:11	fools 42:5	galen 29:1,2	gives 16:7	
figured 11:21	forecast 18:10	gas 1:12,12 2:10,13 6:2,5 6:8 9:10 11:3 11:6,6,7,9,13 11:13,23 17:17,20,21 18:18 19:2,4 19:14,15,15 19:16 20:2,3,5 22:11 24:10 24:12,12,19 24:19 26:14 27:9 28:14 30:1,23,25 31:2 32:10,12	gladstone 1:8 16:7 54:3	
figures 17:13	foregoing 54:6		go 5:2,11 8:15 9:6 12:20,23	
file 1:11				
filing 45:15				
finally 29:17				
financially 54:15				
find 11:1,24				
finding 18:22 45:16				
finds 6:18				
fine 19:24				

<p>great 25:24 greatly 49:12 groceries 31:3 grocery 49:15 gross 19:9 ground 18:12 group 17:7 guess 41:16,24 43:19 guy 35:15 37:4 guys 27:11</p>	<p>hearing 1:6 2:6 3:5,6 4:21 5:10 8:25 17:12 24:20 52:5 hearings 8:15 15:9 heartedly 29:11 heat 20:16 39:11 heater 6:6 37:9 38:12 heaters 8:19 heathman 47:10,14,14 47:18 help 5:3 8:21 9:9 10:20 16:13 22:12 28:15,17 29:25 43:14 45:15 47:4 helpful 45:16 helping 50:12 high 22:10,11 46:7,9,15 higher 19:21 highest 6:8 hike 32:17 34:9,12 hires 24:24 hit 37:7 39:8 hitting 37:11 37:20,23 38:1 hold 6:22 8:25 hole 50:8 home 5:2 8:17 18:12 22:13 47:21 48:21 homes 8:1 20:16</p>	<p>honda 25:23 25:23 honestly 42:1 hook 25:10 hope 10:15 40:15,21 41:25 42:13 hoping 17:5 hot 26:13 hottest 13:25 hour 3:1 hours 7:11 48:14,15,16 house 6:20 8:20 12:23 24:22 32:10 37:24 38:4,5 46:11 49:19 housing 39:9 how's 4:1 hud 39:9 huge 17:9 hullebusch 36:14,16,19 36:20 38:16 38:23 hundred 17:4 hurt 37:1 hy 31:4</p>	<p>immunosup... 8:9 impact 18:22 impartial 42:16 important 4:7 4:8,19 12:7 39:14,16 incentive 10:25 19:14 27:23 28:15 37:6 incentives 11:9,25 12:1 27:4 include 23:13 included 27:20 income 7:10 15:7 20:15 32:7 48:1,25 incomes 7:14 16:5 18:17 39:10 increase 1:11 5:23 6:23 7:14,22,23 8:25 9:3 12:24 13:19 17:7,15,17 19:12,19 21:7 24:1 27:21 29:15,18,20 30:6 36:5 42:21 43:11 47:25 48:4,5,9 48:13,14,15 49:5,25 51:8 51:11,12,15 51:18,18,20 increased 50:11</p>	<p>increases 10:25 13:4 42:17 43:9 increasing 8:15 11:8 incurred 48:19 indian 33:17 34:3,20 35:9 36:6 industry 25:20,20 inflation 17:18 influence 28:21 information 5:5 infrastructure 8:14,17,22 24:3,4,7,20 32:17 33:22 33:23,24,24 33:25 initial 24:18 initially 24:7 instance 30:21 insulated 46:11 insurance 7:13 9:3,4,6 21:15 48:22 insure 28:5 intend 24:25 interested 54:15 investment 41:21 investor's 41:23 investors 13:2 41:18</p>
<p>h</p>	<p>h 36:21,21 47:15,15 51:4 half 33:21 hand 23:8 31:21,23 43:18 45:24 handle 8:8 32:23 47:25 handles 32:25 hands 52:3 happen 42:20 happened 9:5 9:7 35:6 40:22 42:17 happening 33:3 happy 15:19 21:20 45:9 hard 50:15 hat 45:23 hate 22:14 healthcare 20:9,12 hear 3:25 22:20 28:16 36:2 heard 39:6 40:1</p>	<p>i</p>	<p>ice 26:10,12 26:12,14,15 26:16,19,21 27:10 idea 11:15,16 idiotic 11:14 11:15,16 ignition 39:25 illness 9:15 immediately 31:21</p>	

inzerillo 10:11 10:12,13,15 10:19,23 iowa 42:11 isrs 8:22 27:2 issue 39:7 items 10:6 izerillo 12:4,8	23:7,14 29:1,6 30:12,15 31:12,16 32:5 36:13,18 38:25 39:3 40:19 44:2,4,9 45:20 46:2 47:7,12,16 50:17,24 51:5 51:25	22:18 27:13 27:25 28:23 30:11 31:15 34:14,25 35:7 35:18,21 36:1 38:16 42:24 43:2,7,22 44:14,17,22 44:25 45:3,8	laclede 1:12 lady 43:20 50:21 lane 34:23 large 16:11 18:7 larger 20:15 20:15 law 1:14 2:1,5 2:14,18,23 5:11,16,20 6:10,14 7:2,6 10:10,16,21 12:3,10,14 13:7,11,14 14:2,4 15:21 15:25 16:14 16:17,22 22:19,24 23:2 23:7,14 29:1,6 30:12,15 31:12,16 32:5 36:13,18 38:25 39:3 40:19 44:2,4,9 45:20 46:2 47:7,12,16 50:17,24 51:5 51:25 lawyers 45:15 50:10 layout 20:14 leak 33:2,4,8 33:16,20 34:1 34:22 35:1,20 36:12 leaks 34:16 lease 40:7 leave 37:8 leaves 41:8 left 2:8 3:10 letting 10:3	level 11:17,18 29:19 liability 19:19 21:14 life 20:17 47:24 light 37:10 39:22 40:3,3 46:15 limit 39:10 lincoln 26:3 line 40:23 49:10 lines 8:20 list 3:7,15 7:3 22:9,10 31:21 listen 12:9 43:25 litigation 1:20 little 17:14 26:11,12 28:13 32:9 37:14 38:10 40:25 41:8 live 22:7,11 41:14 46:5 lived 46:8 living 22:4 38:11 49:11 51:9,15 local 1:6 long 24:9,9 25:1 41:6 longer 18:25 look 4:21 5:3 5:9 20:12,21 24:6 31:8 32:20,23 40:22,22 looked 12:25 42:13 looking 40:12
j		kenny 2:7 kid 11:22 kids 26:15,19 47:21 kilter 49:12 kind 10:1 12:21 21:11 40:14 41:20 know 3:23 4:5 4:8,13 7:9,9 8:18 9:1,5,11 9:16,19 10:23 12:18 13:18 15:13 16:5,7 18:8 19:6,13 20:10 21:15 21:25 24:8,12 25:25 27:1 30:19 31:4 37:18 38:7 40:13,21 41:13,15,25 42:5 43:4,6 45:5,8 48:8,11 48:14,25 49:3 49:4,7,8,17 50:9 51:13 knows 42:3		
j 32:4 46:5 jackson 45:25 46:4,4 jacobs 2:12,12 2:15 15:16 36:10 jeff 41:13 jerry 36:11 jesus 23:13 jj's 9:5 19:19 33:3,25 34:4 35:5 jo 22:20 job 27:20 45:1 48:2,3,16 joe 36:14,19 51:1 john 2:22 jones 1:14 2:4 joplin 41:15 joseph 50:22 judge 1:14 2:1 2:5,14,16,18 2:20,23 5:11 5:16,20 6:10 6:14 7:2,6 10:10,16,21 12:3,10,14 13:7,11,14 14:2,4 15:21 15:25 16:14 16:17,22 22:19,24 23:2	judgment 19:25 43:23 judicators 28:2 julie 31:24 32:3 july 6:5 jump 5:12 jumping 49:16 justified 13:24			
	k			
	k 23:5 46:5 kansas 1:21 19:2 33:17 34:2,19 35:9 40:23 42:9 kcpl's 48:23 keep 17:25 36:24 39:21 40:8 42:7 51:9,13,14 keeps 49:17 kennard 1:14 2:4 kenney 1:15 3:21 4:1,4 10:4 12:4 14:3,6,15 15:8 15:15,20 16:15 20:24 21:4,12,17,23	l		
		l 1:14 32:4,4,4 36:21,21 39:6 46:5		

Public Hearing Vol 6 - February 24, 2014

[losing - number]

Page 62

<p>losing 50:7 lost 8:5 lot 13:23 26:1 30:7 32:9 33:18,19 39:8 39:20 48:20 50:2,3 loves 25:15 low 22:9,16,17 51:9 lower 8:2,6 9:14 11:1 15:7 18:17 22:15 29:22 lowering 7:25 11:24 lynn 1:20 54:4 54:19</p>	<p>matter 1:11 29:17 42:22 43:3 matters 43:20 mean 3:23 35:5 49:12 means 11:24 24:1 30:23 measured 35:15 media 34:1 medical 7:16 medicine 7:18 medicines 7:16 meet 6:18,25 member 28:15 members 43:13,17 mention 43:16 mentioned 19:2 meter 9:22 39:21 meters 9:21 40:4 metric 18:5 20:21 mge 16:3 17:20 25:12 26:20 27:10 35:14 38:21 39:23 40:3 41:17 42:16 43:10 48:5,19 48:24 49:1,24 michael 44:7 middle 33:5 midwest 1:20 mike 44:6 mind 14:19 29:9 38:7</p>	<p>mine 6:16 minimum 30:20,22 31:1 46:22 miserable 22:11 missouri 1:1,8 1:12,21 2:10 2:13 14:24 19:4,15 22:8 22:14 39:11 41:2,3,15 42:6 45:6 54:2 mo 54:5 mom 36:22 moment 3:11 monday 3:23 4:5 money 7:12 9:24 11:1,5,8 19:11 23:20 23:22,23 24:9 25:9 30:3 31:11 32:8 33:22,23 34:6 34:7 39:21 48:20 50:2,3,5 50:6,7,11 monopolized 20:12 monopoly 25:18 41:3 49:18 month 5:23 11:22 16:9 29:20 31:3 32:8,13 36:23 37:15 38:10 39:18 40:12 40:24 46:20 47:22,22,23 47:25,25 48:16</p>	<p>monthly 30:20 30:22 31:1 48:25 months 5:25 6:3,8 11:16 13:19,23,25 13:25 17:9 18:20 29:15 29:16,21 39:14,19 47:3 move 3:13 18:4 25:8 moved 46:10</p>	<p>51:17,17,18 needed 34:10 needs 12:24 12:25 18:1 26:20 30:2,6 32:20 51:8 negative 4:15 neighborhood 17:1 25:9 neil 29:2,2 neither 54:10 net 19:9 netherlands 23:6 never 38:9 39:12 new 8:19 18:2 19:23 26:11 33:24 49:6 news 29:23,24 nice 39:24 night 3:23 nine 48:8 noack 15:18 nobody's 38:11 non 38:18 41:19 normal 48:3 49:11 normally 33:18 north 34:23 39:25 northbound 34:23 northland 22:6 notice 46:19 noticed 35:11 notion 41:20 number 17:19</p>
<p>m</p>			<p>n</p>	
<p>m 1:16 47:15 m.u. 45:23 ma'am 36:10 mailed 17:4 main 46:16 making 11:8 17:21 22:6 man 11:19 29:12 33:5 mandin 31:17 marc 2:16 marcia 7:3,4 mark 18:12 18:14 25:19 25:21,24,25 26:3 40:25 marked 53:3 mary 1:20 29:2,4 54:4,19 massive 49:16 math 17:11 29:14 48:4,8</p>			<p>n 12:11,11 32:4 46:5,5 47:15 53:1 nairn 12:11 12:12,16 13:8 name 2:4,21 5:13 10:11 16:18 23:4 32:2,3 36:17 36:19 39:4,5 44:6 46:3 47:13 50:24 51:3 named 31:17 nationalized 20:12 natural 27:9 nature 45:12 nearly 41:2 need 13:3,5 18:4 19:4,10 19:11,16 25:15,16,17 26:21,21 28:7 28:9 32:22 33:21 34:7 36:2,16 40:9 47:21 51:8,12</p>	

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<p>o</p> <p>o 46:5,5</p> <p>o'clock 3:23 4:5</p> <p>oak 1:21</p> <p>oakes 30:12 30:13,17 31:13</p> <p>obligation 15:5,11</p> <p>observed 35:1</p> <p>obviously 35:17 43:4</p> <p>odor 35:2,3,13</p> <p>offer 19:21</p> <p>office 2:15,17 14:25</p> <p>officials 21:25 22:1</p> <p>oh 23:9 33:6</p> <p>okay 2:1,25 4:4 5:22 9:4 31:11 35:16 35:17,21,25 36:21 37:18 40:20 41:12 45:18 50:20 51:24 52:2</p> <p>old 6:17 11:2 23:18 24:21 24:22,23 36:23</p> <p>older 23:17</p> <p>oldest 29:12</p> <p>ones 26:11</p> <p>open 18:1</p> <p>operating 8:24</p> <p>opportunity 3:4,18 14:9 15:10,13</p>	<p>order 6:18 19:11 23:22 29:25 30:1</p> <p>ought 31:10</p> <p>outcome 54:15</p> <p>outright 20:20</p> <p>outside 49:22</p> <p>overhaul 20:21</p> <p>overland 40:24</p> <p>overtime 48:17</p> <p>owned 23:19</p> <hr/> <p style="text-align: center;">p</p> <hr/> <p>p 51:4</p> <p>p.m. 52:6</p> <p>pack 17:5</p> <p>pages 5:6</p> <p>paid 25:24 26:24,25 44:23,25 45:2</p> <p>papers 5:1</p> <p>park 40:24</p> <p>parlors 26:12</p> <p>part 4:10,19 9:4,8 15:8 28:10 32:16 39:14,16 48:18,25</p> <p>partial 42:19</p> <p>participating 52:4</p> <p>participation 4:19 21:2</p> <p>particular 14:12 15:6 35:13 36:5</p> <p>particularly 35:14</p>	<p>parties 2:24 54:11,14</p> <p>parts 13:3 45:5</p> <p>pass 40:25</p> <p>pat 6:11,12</p> <p>patients 7:9 8:4</p> <p>pay 7:12,21 8:22,23 9:7,9 9:11,13,17 11:17 20:1,2 24:11 30:22 30:25 32:13 38:8 39:19 48:14,15,18 48:20</p> <p>paying 6:8 13:21 17:19 19:20,22 31:2 31:9 38:7 40:10</p> <p>payment 11:17,18 29:19</p> <p>peanuts 40:13</p> <p>pennsylvania 34:2,22,23</p> <p>people 3:7 11:11 13:21 14:17 15:6 16:4 23:18 26:4 29:18,24 32:18,19 33:18 38:21 38:23 39:20 41:21 42:5 45:22 48:3 51:19</p> <p>percent 7:22 7:23 8:3 11:12 17:15 17:17 19:7,10</p>	<p>48:4,5,6,8,25 49:9,9,14,15 49:25 50:2,2</p> <p>percentage 18:14 20:15 45:6</p> <p>perfect 29:14</p> <p>period 14:10 21:6 25:1 27:18</p> <p>person 3:14 40:11</p> <p>pesch 50:22 51:1,1,4,7,24</p> <p>pick 7:15</p> <p>picked 4:25</p> <p>pilot 37:10 39:22 40:2,3 46:15</p> <p>pipe 32:13</p> <p>place 17:5 22:7 30:19</p> <p>places 19:1 22:11 39:24</p> <p>plan 11:17,18 16:4 29:19 30:21 42:1</p> <p>planned 18:24</p> <p>platte 16:25 22:5</p> <p>plaza 9:5</p> <p>please 15:12 21:18 27:18 32:1 36:18 39:4 43:18,21 44:4</p> <p>plumbing 8:21</p> <p>plus 39:10</p> <p>pockets 9:24</p> <p>podium 3:9</p> <p>point 5:4 6:24 29:10 31:20</p>	<p>48:20</p> <p>pointed 10:7</p> <p>pointing 10:6</p> <p>poor 41:25</p> <p>portion 3:5,5</p> <p>position 44:23 44:24</p> <p>poston 2:16 2:17</p> <p>potential 17:25</p> <p>pound 17:17 19:15</p> <p>pounds 8:5</p> <p>prayer 42:1</p> <p>prejudice 43:24</p> <p>presence 4:7</p> <p>present 29:2</p> <p>presiding 1:14 2:5</p> <p>pretty 19:8 22:9 23:1 39:7,16</p> <p>price 26:18,22 27:3 32:17 34:9,12 42:7</p> <p>primary 38:18 38:20</p> <p>privilege 17:20,22 37:12 38:2,10 40:10</p> <p>probably 3:24 4:6,25 14:7 16:11 20:10 28:9 41:13 42:8</p> <p>problem 32:16 41:17 41:18 46:7</p> <p>problems 26:8 39:23</p>
--	---	--	--	---

proceed 5:21 6:15 7:7 12:15 13:15 16:1,23 23:15 29:7 30:16 32:6 44:10 47:17 51:6	22:2 28:4 42:22 43:4 public's 8:17 publish 41:22 purchase 20:8 20:9,16 pursue 16:11 put 6:4 8:1,2 18:6 23:6 26:20 30:18 41:24 46:8,10 46:18 putting 6:7	radio 29:24 raise 13:24 17:9 23:7 31:23 43:18 45:24 46:25 48:6,10,18,20 49:1 raised 12:6 21:6,15,16 32:21 raises 48:2 raising 52:2 ranked 22:10 rate 1:11 2:6 5:23 6:23 10:24 12:24 13:4 14:11,12 14:21 15:2 17:6 18:2,13 19:3,18 20:20 20:22,23 22:15,16 24:8 27:21 30:6,18 36:5 42:21 43:9,11 46:20 46:22 47:20 49:1,5 rated 22:14 rates 12:19 20:13 28:5 47:1 48:23 read 4:14 5:2 readers 9:22 real 12:25 13:5 realize 24:2 really 4:24 9:25 12:24 13:3,5 19:12 22:5 27:8,9 32:18,19 35:16 39:20	reason 5:24 15:9 reasonable 19:6 28:5 42:2,3 reasonably 22:22 23:1 rebates 19:21 19:24 recognized 30:5 record 3:8 4:10 42:23 43:4 50:9 52:2,3 recoup 31:11 reduce 27:2 reduced 54:9 reduction 6:23 referred 32:22 regular 13:22 regulate 6:19 18:17 regulating 6:18 regulatory 1:14 2:1,5,14 2:18,23 5:11 5:16,20 6:10 6:14 7:2,6 10:10,16,21 12:3,10,14 13:7,11,14 14:2,4 15:21 15:25 16:14 16:17,22 22:19,24 23:2 23:7,14 29:1,6 30:12,15 31:12,16 32:5 36:13,18 38:25 39:3	40:19 44:2,4,9 45:20 46:2 47:7,12,16 50:17,24 51:5 51:25 reject 20:20 related 54:10 relative 54:13 remain 2:2 3:11 41:6 remember 11:2 remove 40:4 rental 37:18 37:24 renting 32:10 repair 8:22 repairing 33:25 repairs 8:18 replace 24:5 25:17 replacement 24:20 report 33:2 35:4 41:23 45:7 reported 1:20 33:20 34:4 reporter 32:2 39:4 47:13 50:25 51:2 54:1,5 representation 28:18 representati... 14:22,23 21:19 27:19 28:21 40:17 represented 2:24 representing 40:16
proceedings 1:4 process 4:19 product 24:3 24:11,19 25:1 25:14 26:23 26:24,25 27:3 products 20:16 profit 19:6,7 26:9 41:19,19 45:6 profits 50:9 50:12 project 18:9 39:9 projects 39:24 pronounce 5:13 10:11 16:18 23:3 propane 49:20 proposal 14:21 proposed 14:12 15:2 proposing 14:21 15:3 provide 14:19 14:20 38:22 provided 4:17 psc 27:23 public 1:2,6 2:7,15,17 14:24,25 15:9 16:2 21:1	q quackenbush 15:22,23 16:2 16:16 quality 25:14 question 5:15 14:5,7,10,11 14:16 15:16 15:17 21:5,6 27:18,23 28:1 38:20 42:18 45:4,9,17 questions 3:2 3:3,13 5:4 10:5 15:10,11 21:16,21 27:16 32:21 32:24,25 34:18 38:18 43:5,21 44:1 44:11 45:10 45:12,14 quick 14:6	r r 12:11 39:5 race 49:3 radiation 7:19 8:5	reason 5:24 15:9 reasonable 19:6 28:5 42:2,3 reasonably 22:22 23:1 rebates 19:21 19:24 recognized 30:5 record 3:8 4:10 42:23 43:4 50:9 52:2,3 recoup 31:11 reduce 27:2 reduced 54:9 reduction 6:23 referred 32:22 regular 13:22 regulate 6:19 18:17 regulating 6:18 regulatory 1:14 2:1,5,14 2:18,23 5:11 5:16,20 6:10 6:14 7:2,6 10:10,16,21 12:3,10,14 13:7,11,14 14:2,4 15:21 15:25 16:14 16:17,22 22:19,24 23:2 23:7,14 29:1,6 30:12,15 31:12,16 32:5 36:13,18 38:25 39:3	40:19 44:2,4,9 45:20 46:2 47:7,12,16 50:17,24 51:5 51:25 reject 20:20 related 54:10 relative 54:13 remain 2:2 3:11 41:6 remember 11:2 remove 40:4 rental 37:18 37:24 renting 32:10 repair 8:22 repairing 33:25 repairs 8:18 replace 24:5 25:17 replacement 24:20 report 33:2 35:4 41:23 45:7 reported 1:20 33:20 34:4 reporter 32:2 39:4 47:13 50:25 51:2 54:1,5 representation 28:18 representati... 14:22,23 21:19 27:19 28:21 40:17 represented 2:24 representing 40:16

request 48:6	rise 17:6	seeing 7:22	showing 21:1	society 28:15
requested 43:12	robert 1:15 15:21,23	13:4	50:8,8	sold 18:14
requires 25:1	room 14:17	seeley 39:1,5,6	shut 18:18	20:22 26:12
residence 37:22,22 38:18,20	roughly 48:4	40:20 43:1,6	40:4 46:13,19	30:20
residential 37:19	row 35:11	seen 33:23	46:23	solemnly 10:17
residents 18:15	run 26:18 32:15	sell 11:4,4 17:21 19:14	side 34:23 40:23	somebody 15:1 25:16
respect 29:19	running 49:21	19:15 25:1	sign 3:17	sorry 4:1
responsible 17:3	russ 16:24	26:21,22,24	signed 3:7 31:18	22:12,21,24
rest 12:18	russell 16:17 16:20	26:25 27:2	significantly 24:15,16	25:12 26:23
restaurant 19:20	ruth 29:2,4	selling 19:16	silent 2:2	sort 6:7 19:3
restructure 31:7	s	senate 44:20	simple 6:16 42:18	sounds 19:12
retirement 18:25	s 1:15 36:21	send 5:7	simply 40:3	source 39:25
return 20:2 24:10 27:7 41:20	39:6 46:5 51:4	senior 1:14 7:9,14	sincerely 17:7	south 19:1
revenue 19:9 39:15,16	sales 19:12	seniors 16:8 16:11	sir 6:10 10:12	speak 7:10 22:2 44:3
richard 12:11 12:12	save 8:3 9:23 20:3	sent 35:14	10:22 12:14	speaking 2:3
ridiculous 17:18 29:17 29:22 30:6 47:1	saying 4:4 9:20 17:14 47:19 48:10 49:13,17 51:14	service 1:2 2:7 11:6,24 14:24 16:3 18:1 20:23 22:2 24:4,14,14,16 24:17 25:15 28:4 37:12 39:13 41:11	13:14 14:2 15:19,25 16:14,22 22:18 30:15 36:13 38:25 39:3 44:2,9,22 45:3,23 47:7 47:17 50:17	specific 10:6 14:10 43:10 43:21,25 45:12,14
right 2:4,6 3:10 5:12,22 7:25 10:21 21:7 23:8 25:11,18 26:24 31:22 31:23 33:16 34:2 35:5 36:11 43:1,3 45:22,24	says 8:10,11 25:9 40:8	serviced 11:7	22:18 30:15 36:13 38:25 39:3 44:2,9,22 45:3,23 47:7 47:17 50:17	specifically 21:6
	scc 45:14	services 1:20 28:6 50:4	22:18 30:15 36:13 38:25 39:3 44:2,9,22 45:3,23 47:7 47:17 50:17	spell 32:2 36:20 39:4 46:3 51:2
	scenario 18:10	set 18:14	sit 28:2 43:23	spent 33:22 34:6
	seated 2:2	seven 29:16 30:19 47:3	situation 12:17 32:9 34:9 36:6	spoke 24:1 25:19
	second 37:3	shake 38:4	six 44:18	ss 54:2
	security 7:21 9:1 36:24	sharing 36:4	small 29:20 46:5	staff 2:18,21 14:18 35:23 36:3 43:13,17 43:20 44:1
	see 2:25 3:12 22:14 28:13 28:20 31:6,21 31:22 32:24 40:23 42:15 45:21 46:12 49:10,14,15 49:15 52:2	sheets 5:5	smart 24:23	stand 17:6
		shift 5:24 6:3	smell 33:11,12 35:12,16	standing 43:20
		ship 17:20	smelling 33:10	start 2:9 45:11 47:18
		shops 26:11	snowbirds 18:21	state 1:1 22:13 22:13 32:1
		show 7:18 17:4 22:2 50:12	social 7:21 8:25 36:23	
		showed 35:19		

Public Hearing Vol 6 - February 24, 2014

[state - time]

Page 66

39:4 40:23 46:3 47:12 50:24 54:2 statement 3:8 3:11,16 6:17 28:4 31:19,20 45:21 50:20 52:1 station 26:14 stay 9:25 15:18 stayed 20:13 step 3:9 44:5 stephen 1:16 steven 47:10 47:14 stockholders 27:5 45:7 stoll 1:16 2:8 4:23 10:8 13:9 28:24 30:9 31:14 36:9 38:14 40:18 43:16 47:8 50:18 51:22 store 31:4 stores 26:11 stoves 11:4 street 33:5,9 34:2,22,24 35:20 strictly 3:6 strong 33:12 35:14 structure 18:2 19:3 stuck 9:2 12:21 stuff 24:22 27:4 49:6 subject 39:8 40:5 44:18	submit 5:6 substitute 2:3 sufficiently 18:13 suite 1:21 summer 13:22 32:14 46:14 summertime 32:12,15 37:7 38:1 46:24 47:3 support 27:6 suppose 11:20 28:10 43:18 supposedly 32:13 sure 21:20,22 23:9,21 37:21 41:16 swear 3:10 5:17 23:12 sweat 50:15 sweater 26:20 sweaters 8:2 switch 46:17 switched 46:16 sworn 54:7 system 20:21 25:2 systems 24:21	talk 11:11 15:19 35:24 36:3,11,11,22 50:10 talked 25:20 28:12 39:13 talking 11:11 43:9,10 tariffs 1:12 taxes 16:6 24:5 25:4 teacher 2:4 technology 24:15 television 29:23 tell 21:17 25:23 26:13 26:19 27:5 34:19 40:5 41:9,15 telling 11:11 48:17 49:8 temperature 8:2 temperatures 8:1 ten 30:19 terms 44:18 terrible 41:9 testified 5:19 6:13 7:5 10:14 12:13 13:13 15:24 16:21 23:11 29:5 30:14 31:25 36:15 39:2 44:8 46:1 47:11 50:23 testimony 3:6 4:9,17 5:6,8 5:10 10:9,18	13:10 28:25 29:13 30:10 38:15 47:9 50:19 51:23 54:6,7 texas 41:10 42:11 thank 2:14,16 2:20 3:22 4:18,22 5:20 6:9,10,14 7:1 7:2 10:7,8,22 12:2,3,8,14 13:6,7,9,14 14:2 15:14,15 15:19,20,25 16:13,14,22 20:23,25 21:4 21:23 22:7,18 27:13,21 28:22,23,24 30:7,9,11,15 31:12,14,15 32:5 34:13 36:4,8,9 38:14 38:17 39:3 43:2,14 44:9 45:18 46:2 47:7,8,16 50:17,18 51:5 51:22,24 52:3 thanks 5:9 16:15 27:14 34:14 41:4 therapist 7:20 therapy 8:5 thereto 54:14 thermostat 8:6 9:14 thermostats 18:18 thing 11:14,14 11:18 15:4	26:13 27:2 29:21 30:17 31:7 37:2,3 38:5 40:14 46:12 things 4:6 7:12,21 8:9,19 9:22 10:2 12:7 16:6 29:8,10 31:5 33:3 34:7,8 36:21 41:24 42:13 think 3:18 5:2 6:23 10:2 12:23,24 13:2 13:18,24 16:10 17:10 28:9,10 30:6 32:19,22 33:1 36:2 38:3 40:2,11,14 41:22 42:1,4 43:13 47:19 thinking 13:18 33:10 thomas 23:10 thorough 41:2 thought 30:7 37:17 41:8 thoughts 12:17 34:8 36:5 three 8:14 37:9,18 44:11 48:7,11,13 throw 49:22 time 3:18 4:20 6:20 7:11 10:2,6,7 12:5 20:25 21:20 24:9,9 25:1 27:14,21
	t 47:15 take 4:11,16 5:3 13:21 15:13 21:18 21:20 24:6 27:18 31:22 48:14,21 50:14 taken 20:9 30:2 54:8,12			

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28:16 34:15 35:10,12,22 36:4 41:6 43:3,15 45:1,2 46:24 timing 32:18 tired 6:24 today 4:18 24:1 39:13 40:1 todd 2:12 22:20,20 told 8:6 33:5 35:15 tom 22:21 23:4 tonight 4:20 12:16 17:2,5 top 9:12 24:17 total 42:19 totally 34:9 tourist 18:23 toyota 26:1 transcribed 3:9 4:9 transcript 1:4 4:16 travel 18:25 treatments 7:19 troops 21:1 trucks 9:22 trust 23:24 truth 10:18,19 10:20 try 39:17 51:9 trying 6:22,24 8:9,23 29:22 36:24 49:7 turn 19:9 38:9 39:12 turndown 42:19,19	turned 37:9 37:10 42:16 42:18 turns 31:22 two 4:14 33:21 34:4 36:21 37:13 39:11,23 45:5 45:21 type 41:1 typewriting 54:9 typically 43:9 43:11	25:10 36:24 utility 8:11 11:10 13:2 18:3,8 19:1 22:12 23:21 30:1 utterly 29:22	29:16 34:17 35:24 36:22 43:12 48:1 49:20,21 wanted 5:4 12:5 25:22,23 wanting 48:12 warm 30:1 39:14,19 water 6:6 8:19 8:20 16:8 37:9 38:12 40:9 watson 22:21 22:21 way 11:24 17:18 18:16 22:14 23:24 24:14 26:8 30:4 31:2 48:3,7 50:1 ways 11:1 we've 3:15 31:20 33:20 wear 18:18 23:17 26:20 website 5:7 45:11 week 48:18 weeks 34:4 37:9 weigh 13:3 welcome 4:24 21:1,3 went 9:4 23:19 26:4 33:14 37:8 49:9 wichita 41:9 widow 6:17 wilber 5:12,18 williams 36:11	win 8:12 windows 46:11 winter 11:15 18:19 29:24 47:1 49:22 winters 41:9 wintertime 32:11 46:25 wish 22:1 witness 54:6,8 wojtkiewicz 16:18,19,19 16:20,24,24 20:24 21:3,10 21:14,22,24 wonder 32:18 32:19 wood 49:18,22 woodson 22:20 woodwand 13:11,12,16 14:4,13 15:4 15:14 woody 13:11 13:12 words 6:20,25 16:5 40:1 work 48:15,16 48:17 50:15 worked 42:8 working 37:25 worry 47:21 47:24 49:21 worse 18:10 worth 30:23 written 5:7 wrong 17:14
	u 32:4 36:21 36:21 underneath 33:8 understand 11:23 19:13 25:12 49:5 unfortunately 17:3 22:9 unit 18:14 20:22 unreasonable 19:7 urge 20:19 usage 6:1,8 11:9 18:17 use 9:12 11:3 11:4,4,5 30:21 30:23,24 32:14 37:4,6 37:15 46:24 47:2 49:20,24 49:25 uses 32:10,12 utilities 7:16 10:24 16:6 20:10,13	v vacant 37:20 37:25 38:9 vacation 37:8 vaneyck 22:21 22:22,25 23:4 23:4,9,10,12 23:16 27:13 27:22 28:12 vee 31:4 view 10:1 village 28:16 virtue 28:2 volume 1:9 9:10 18:5 20:21 volunteer 44:24 volunteering 35:10 vote 20:19,19	w waco 41:10 wages 9:1 walk 15:1 50:10 want 3:19 4:8 4:23 5:23,24 6:2,4 7:23 8:7 10:23 12:1 13:17,19,22 20:1,1,8,9,11 22:10 26:16 27:9,10,11 28:17 29:15	

[x - younger]

x
x 53:1
y
y 39:6
yeah 9:5
year 6:17,17 6:20 18:7 20:14 24:22 37:8 44:18 47:20 48:6 50:7,13
years 8:14 11:2 17:19 19:9 24:21 29:11 30:19 33:21 36:23 41:7 46:8 48:7,11,13
younger 29:11