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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
TRANSCRIPT OF PROCEEDINGS

Local Public Hearing
October 11, 2017

Bruce R. Watkins Cultural Heritage Center Auditorium
3700 Blue Parkway
Kansas City, Missouri 64130

VOLUME 11

In the Matter of Laclede)
Gas Company's Request to)
Increase Its Revenues for) File No. GR-2017-0215
Gas Service)

_____) _____
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)
In the Matter of Laclede)
Gas Company d/b/a Missouri) File No. GR-2017-0216
Gas Energy's Request to)
Increase Its Revenues for)
Gas Service)

DANIEL JORDAN, Presiding
SENIOR REGULATORY LAW JUDGE

WILLIAM P. KENNEY
COMMISSIONER

REPORTED BY:
Emily S. Hughes, RPR, CRR, MO CCR #1353

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

2 (Hearing commenced at 6:58 p.m.)

3 JUDGE JORDAN: The Missouri Public Service
4 Commission is calling the case in File No. GR-2017-0216
5 that is in the matter of Laclede Gas Company's doing
6 business as Missouri Gas Energy's Request to Increase
7 its Revenues for Gas Service. This action is traveling
8 with the action in the File No. GR-2017-0215, which is
9 in the matter of Laclede Gas Company's Request to
10 Increase its Revenues for Gas Service. This is the
11 Missouri Public Service Commission, and this is a
12 local public hearing on rate increase as proposed for
13 the territory formally served by Missouri Gas Energy
14 Company, later by Laclede Gas Company, now a
15 subsidiary of Spire.

16 My name is Daniel Jordan. I am a
17 regulatory law judge with the Missouri Public Service
18 Commission. I'm presiding over this proceeding taking
19 testimony for this part of the local public hearing.
20 My job is to conduct an orderly proceeding and get
21 everyone's testimony that wants to testify.

22 When all the proceedings, this and related
23 proceedings including any evidentiary hearings are
24 done, a judge more experienced than I will draft a
25 decision for the final decision of the Public Service

1 Commissioners.

2 And speaking of Public Service

3 Commissioners, seated to my right is Commissioner

4 William P. Kenney of the Missouri Public Service

5 Commission. He's from the Kansas City area.

6 Commissioner, any opening remarks?

7 COMMISSIONER KENNEY: Thank you, Judge.

8 I'd like to welcome all the customers that
9 are here today. This is the -- just a small part of
10 the process. We will go on -- our staff investigates
11 all the books. We've researched everything. We will
12 have an on the record, which is kind of like a trial,
13 and we sit and we go over everything and come up with
14 a decision. But I am one the five commissioners.

15 Unlike most states, we always try to have at least one
16 commissioner at a public forum, and since I'm on the
17 western side of the state, I usually appear at most of
18 these. But if any of you have testimony that you'd
19 like to present tonight, each of the other
20 commissioners will have an opportunity to read that.
21 But again, I appreciate your participation tonight.
22 Thank you.

23 JUDGE JORDAN: Thank you, Commissioner.

24 Let's begin with entries of appearance.

25 For the applicant?

1 MR. ZUCKER: Thank you, Your Honor.
2 Rick Zucker here on behalf Missouri Gas Energy, now
3 known as Spire Missouri, Inc.

4 JUDGE JORDAN: Thank you. And for the
5 staff of the Public Service Commission?

6 MR. KEEVIL: For the staff of the Public
7 Service Commission, Jeffrey A. Keevil, PO Box 360,
8 Jefferson City, Missouri 65102.

9 JUDGE JORDAN: Thank you, Counselor.
10 And for the Office of the Public Counsel?

11 MR. OPITZ: Thank you, Judge. For the
12 Office of Public Counsel, my name is Tim Opitz, and my
13 address is on file with the court reporter.

14 JUDGE JORDAN: Thank you. Now the purpose
15 of this part of the proceedings is to hear your
16 testimony. It will be part of the official record.
17 We have a court reporter that will take your testimony
18 so that not only will this commissioner have heard it,
19 all other commissioners can review it as well.

20 This is not part of the question and answer
21 session. There will be no questions and answers, and
22 certainly no answers from the commissioner who is
23 still deciding this case and has not come to any
24 resolution and not determined his vote.

25 Here are some tips on testifying: The

1 first thing I want to say is that you probably figured
2 that staff works very hard to monitor the activities
3 of every regulated utility in the state. They cannot
4 be everywhere. So if you have issues with service or
5 billing, if you have something -- a problem or
6 something that's particularly impressed you with good
7 service or billing, this is a good time to mention it.
8 All that goes into the commission's consideration.

9 I do not have any signatures on the list
10 for anyone who has signed up, but if you'd like to do
11 that, here's what I want you to do: Come up to the
12 podium, use the microphone so that everyone can hear
13 you. I will administer an oath, or if religious
14 convictions prohibit you from taking an oath, I will
15 administer an affirmation. This is sworn testimony.
16 I might ask you a few questions to clarify your
17 position, your standing to discuss this proposed rate
18 increase. I want you to speak clearly, be concise.
19 And if someone says something, and you agree with
20 them, tell the staff. I mean, don't just sit there.
21 I mean, come up to the podium, and you can just say,
22 "I agree with the previous speaker," but do say that.

23 Now, if something has been said in the
24 question and answer session, you need to say it here,
25 because that was not on the record.

1 When you're done with your testimony, there
2 may be some clarifying questions from myself, from the
3 parties, from the commissioner, so stay until I excuse
4 you, if you please.

5 And do remember that if you hi think of
6 something later, you can always contact the commission
7 staff or the Office of the Public Counsel.

8 Any questions on this part of the
9 proceeding?

10 None seen.

11 I will open this up to testimony, and I
12 will simply ask: Is there anyone who wishes to
13 testify this evening? Please come up and be heard.

14 I'll have you state your name, and then I
15 will swear you in. Please, state your name.

16 MS. EWERT: Sheryl Ewert.

17 JUDGE JORDAN: And will you spell that for
18 the court reporter, please?

19 MR. ZUCKER: I'll be glad to. S-h-e-r-y-l.
20 Last name is E-w-e-r-t.

21 JUDGE JORDAN: Thank you.

22 (Witness sworn.)

23 JUDGE JORDAN: Are you a customer of Spire?

24 MS. EWERT: I am.

25 JUDGE JORDAN: Okay. Go ahead and tell the

1 commission what you would like it to know.

2 MS. EWERT: I would like to suggest that
3 the 10.35 percent profit margin that I'm reading here
4 in response to the Office of the Public Counsel's
5 letter is too high. And from my research, a typical
6 profit margin is 8 to 10 percent. And the auditor
7 representing the staff tonight said that she was -- or
8 that they were recommending 9.25 percent. It's
9 currently 9.75. So I would like to go on record that
10 I feel the 10.35 percent is too high and to either
11 stay current or go lower as represented by the
12 auditor's testimony.

13 JUDGE JORDAN: Okay.

14 COMMISSIONER KENNEY: Thank you very much.

15 JUDGE JORDAN: Questions from the parties?

16 Very good. Thank you. You're excused.

17 Who else would like to testify this

18 evening? Yes, ma'am. Please, come up.

19 JUDGE JORDAN: Please state your name, and
20 you might want to spell that for the court reporter
21 also.

22 MS. GREEN: Pamela D. Green, P-a-m-e-l-a,
23 capital D, G-r-e-e-n.

24 JUDGE JORDAN: Thank you.

25 (Witness sworn.)

1 JUDGE JORDAN: And are you a customer of
2 Spire?

3 MS. GREEN: Yes, I am.

4 JUDGE JORDAN: Well, what would you like
5 the commission to know?

6 MS. GREEN: I would like the commissioners
7 to know that I have a concern, and I don't know if
8 it's still happening or not, but I have a concern
9 about redlining. I live in Midtown Kansas City. I
10 live in a house that was built in 1921. However, my
11 home has been completely renovated. I have new
12 polymer siding, I have new windows, I have a new roof,
13 I have a new refrigerator, stove, all of the things
14 that -- you know, because I have a brand new kitchen,
15 dishwasher, washing machine, and dryer.

16 And I was noticing when I -- my grandson
17 recently moved to Grain Valley, Missouri, and we were
18 talking, and they just got a Spire bill, as a matter
19 of fact, today. And I was looking at their bill, and
20 I was comparing my bill to their bill; and their bill,
21 even though they have a newer house, and it is -- it
22 has a lot of efficiency, they still don't have the new
23 refrigerator and different things like that, but that
24 has nothing to do with the gas bill. But their gas
25 bill is much lower than mine.

1 In the past, I have known for a fact,
2 because I worked with the State of Missouri, and I
3 worked with the energy assistance program, and I
4 worked with many people who were helping people that I
5 would call to help a -- help set up plans for people
6 who could not pay their bills. And I know then for a
7 fact there was redlining. I was told there was. So
8 my question is -- well, my thing -- my whole problem
9 is that I'm afraid it's still going on; maybe not as
10 much as it was, and I --

11 COMMISSIONER KENNEY: Ma'am, excuse me. I
12 apologize for interrupting you. But for me and for
13 some of those who might not know, what do you mean
14 "redlining"?

15 MS. GREEN: That in the areas of Midtown
16 and some of the areas on the east side of Kansas City
17 and in residential areas, that we pay more for
18 utilities than other areas do. That's -- you know,
19 that's what I was told. And I was told that many
20 years ago.

21 Now, I'm not sure, like I said, that it's
22 still happening, but I would hope that it doesn't.
23 And it sounds like, to me -- I will say this -- that
24 with Spire -- because there was another question that
25 I did ask about level payment plan, and I got a really

1 good answer that I hope that it really works that way
2 and that I truly do accept.

3 JUDGE JORDAN: Okay. Thank you for that
4 testimony.

5 COMMISSIONER KENNEY: Thank you very much.

6 JUDGE JORDAN: Questions from the parties?
7 Thank you. Who else would like to testify
8 tonight? Anyone?

9 MR. NORMAN: My name is Allen Norman. I
10 live at 2542 Charlotte Street in Kansas City,
11 Missouri.

12 JUDGE JORDAN: Sir, could you spell your
13 name for the court report? And then I'll administer
14 you the oath.

15 MR. NORMAN: A-l-l-e-n. Last name, is
16 Norman, N-o-r-m-a-n.

17 JUDGE JORDAN: Thank you.

18 (Witness sworn.)

19 JUDGE JORDAN: Thanks. Go right ahead.

20 MR. NORMAN: Thank you. First of all, I'd
21 like to say thank you for coming to Kansas City and
22 hearing all of us. Missouri Gas Energy, for the most
23 part from my observation over the last 25 to 30 years
24 has been a good -- has been a good, friendly corporate
25 neighbor in Kansas City. I don't agree with

1 everything they've done.

2 Some of this improvement work that they do,
3 they came into my neighborhood, looked like a bomb had
4 hit, and the equipment tore up the streets, tore up
5 the yards, and that was done by subcontractors. But
6 nevertheless, we all think it's MGE or Spire, whatever
7 they want to call it. They could change the name
8 again next month; they're still the same people.

9 They're still selling the same product,
10 which is a monopoly that they have. That's why you're
11 here, I think. Now, because they have a monopoly, in
12 my opinion, they've engaged in some unfair pricing in
13 the past.

14 For 20 years, my wife and I have paid
15 multiple gas bills every month on behalf of ourselves
16 and some tenants, single-family residential tenants.
17 There was a discrimination between renters and owners.
18 They call it a commercial account. And let me tell
19 you, sirs, it's the same gas line, the same gas meter.
20 One right -- one house right beside another has a
21 different customer charge in lots of neighborhoods.
22 It's been going on for at least 20 years that I know
23 of. I'm sick of it. It's not fair to my tenants.

24 The gas company has had the advantage of
25 our collecting their utility for them. We do it as a

1 service to our tenants and to ourselves. But the gas
2 company has benefitted for years from our efforts.
3 The money has always been paid on time. They don't
4 have any credit losses. And it's unfair that they
5 charge more for one meter than another when they're
6 exactly the same.

7 Now, having gotten that off of my chest, I
8 would like to say that the average person here I doubt
9 can get more than about one and a half percent on
10 their money if they go down and open a savings
11 account. Long-term rates and mortgage rates are four
12 to five percent. Why should the utility company, a
13 monopoly, be guaranteed nine percent? Eight percent?
14 Why should they have a guarantee? Most corporations,
15 when they -- when stockholders invest in them, they
16 take the risk. That's what they're doing. They're
17 putting up the risk money. I disagree with the fact
18 that you, the commission, guarantees them a rate of
19 return that is guaranteed in excess of six to eight
20 percent. When we look at what's comparable in the
21 money market, it's not fair.

22 I think I'll just stop right there.

23 JUDGE JORDAN: Okay. Questions from the
24 parties?

25 MR. ZUCKER: Good evening, Mr. Norman. My

1 name is Rick Zucker. You own some rental properties;
2 is that correct?

3 MR. NORMAN: Yes.

4 MR. ZUCKER: About how many do you own?

5 MR. NORMAN: I don't know if that's any of
6 your business.

7 MR. ZUCKER: Okay. And you rent them out
8 to people --

9 MR. NORMAN: Yes.

10 MR. ZUCKER: -- who are MGE -- living in
11 the MGE area?

12 MR. NORMAN: Correct.

13 MR. ZUCKER: And when you're the customer,
14 you pay a commercial rate on that gas service; is that
15 correct?

16 MR. NORMAN: So I think the question is:
17 Who is the customer? I think that's -- I think that's
18 part of the problem here. The customer is the
19 resident. I'm merely the middleman on the utilities.
20 I'm not in the utility business. I don't sell gas. I
21 don't sell electric. I don't sell water. I don't
22 make any profit off of it. I provide a service to my
23 tenants of collecting the money, making sure it's all
24 paid. I also provide a service to the utility company
25 by making sure that the utilities are paid and on

1 time.

2 MR. ZUCKER: So when we send a bill, whose
3 name is on the bill.

4 MR. NORMAN: Well, the bill comes in my
5 name.

6 MR. ZUCKER: Okay. And the rate we're
7 charging you is a commercial rate; is that correct?

8 MR. NORMAN: That's what you call it.

9 MR. ZUCKER: And what I hear you saying is
10 that you believe that that's unfair, and that you
11 would prefer to pay a residential rate?

12 MR. NORMAN: Technically, sir, I'm paying
13 it; my tenants are. And I think that it is unfair,
14 discrimination to my tenants for you to charge them
15 more money because I'm providing a service to you.

16 MR. ZUCKER: Okay. Let me ask it one more
17 time.

18 MR. NORMAN: That's not fair.

19 MR. ZUCKER: Would you prefer that the bill
20 that we send be charged on a residential rate rather
21 than on a commercial rate?

22 MR. NORMAN: Yes.

23 MR. ZUCKER: Thank you. No further
24 questions.

25 JUDGE JORDAN: Any other questions from the

1 parties?

2 Commissioner, any questions?

3 COMMISSIONER KENNEY: No. Thank you, sir.

4 JUDGE JORDAN: Thank you. You're excused.

5 Who else would like to testify this
6 evening? I'm not seeing anyone. Oh, I see one.

7 MS. JOHNSON: I'm Dr. Barbara Johnson.

8 JUDGE JORDAN: Dr. Johnson?

9 MS. JOHNSON: Yeah. B-a-r-b-a-r-a,
10 Johnson, J-o-h-n-s-o-n.

11 JUDGE JORDAN: Thank you.

12 (Witness sworn.)

13 JUDGE JORDAN: Go right ahead.

14 MS. JOHNSON: Okay. I'm just very
15 concerned about, in our community -- and I'm in the
16 Oak Park neighborhood association, which is 64128, and
17 it's extremely blighted. However, nothing is changing
18 with the gas services. I'm most concerned with I have
19 yet to see infrastructure work in that area, and I've
20 been there 52 years. I mean, if you're -- you're
21 talking in two different paragraphs about
22 infrastructure, a commitment to modernize, and all
23 these things. I don't see it. My home is a
24 108-year-old home. However, I just now got the
25 readings you sit outside, and I don't even know what

1 it's called.

2 Anyway, all the other houses have been torn
3 down, so those pipes were sitting on the outside of
4 them for about seven years, but they're all gone now,
5 because that was taken out 2016, seven houses on the
6 block. So I'm on the last end of it now.

7 But I'm still saying: Where is the
8 infrastructure that I'm paying for with this new
9 little ISRS that's been added to my bill? One more
10 thing. I'm just asking because Oak Park neighborhood,
11 I have not seen infrastructure work period in a number
12 of years.

13 COMMISSIONER KENNEY: Ma'am, yes,
14 Dr. Johnson, you know, the legislature many years ago
15 passed an infrastructure replacement bill that allows
16 our utilities like MGE to replace those much quicker,
17 and then be able to reimburse for that. So I think
18 either one of those two individuals on your right or
19 your left, when you -- when tonight is over, either of
20 them will answer your question when tonight is over,
21 if you ask either one of them. They'll be able to
22 help you, Mr. Zucker, either one of these gentleman.

23 MS. JOHNSON: Because I would like to see
24 either schematically or something so I can take it
25 back to my community to let them know. I mean, when

1 we have our monthly meetings, everybody is saying what
2 I'm saying. I don't where the --

3 COMMISSIONER KENNEY: Well, they may not be
4 able do it tonight --

5 MS. JOHNSON: I'm not -- I'm not -- okay.

6 COMMISSIONER KENNEY: But they -- but they
7 can tell you the information --

8 MS. JOHNSON: When, where, has it been done
9 at Oak Park?

10 COMMISSIONER KENNEY: Well, that's -- I
11 know. But you have to ask them after -- after tonight
12 is over, you can talk to them, and I'm sure they can
13 help you.

14 MS. JOHNSON: All right. Okay.

15 COMMISSIONER KENNEY: Thank you.

16 JUDGE JORDAN: Any questions from the other
17 parties?

18 Okay. Anyone else to testify tonight?

19 Not seeing anyone, so I will conclude the
20 testimonial part of this proceeding. On behalf of the
21 Missouri Public Service Commission and its
22 commissioners, I thank you thank you for attending,
23 learning, listening, and testifying. And with that,
24 we are adjourned, and we are off the record.

25 (Hearing concluded at 7:19 p.m.)

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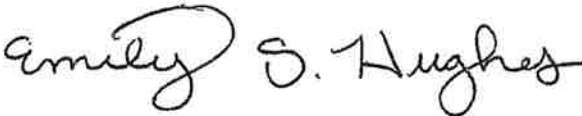
No exhibits were marked or referenced.

1 CERTIFICATE OF REPORTER

2

3 I, Emily S. Hughes, a Certified Court
4 Reporter within and for the State of Missouri, do
5 hereby certify that the foregoing proceedings were
6 taken by me to the best of my ability and thereafter
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9 of the parties to the action in which this record was
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11 employee of any attorney or counsel employed by the
12 parties thereto, nor financially or otherwise
13 interested in the outcome of the action.

14



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16 Emily S. Hughes, RPR, CRR, CCR #1353

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