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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Local Public Hearing

March 26, 2018

Jackson, Missouri

Volume 6

In the matter of Liberty)
Utilities (Midstates Natural)
Gas) Corp. d/b/a Liberty) File No. GR-2018-00163
Utilities' Tariff Revisions) Tariff No. YG-2018-0036
Designed to Implement a)
General Rate Increase for)
Natural Gas Service in the)
Missouri Service Areas of the)
Company)

MORRIS WOODRUFF, Presiding
CHIEF REGULATORY LAW JUDGE

Scott T. Rupp,
Maida J. Coleman,
COMMISSIONERS

REPORTED BY: Joanna Charlton, RPR, CCR(MO), CSR(IL)
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A P P E A R A N C E S

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1 PROCEEDINGS

2 JUDGE WOODRUFF: We're back for the second
3 part of this evenings proceedings, which is the formal
4 hearing process. We're joined by two of our
5 commissioners. To my left -- immediate is Commissioner
6 Maida Coleman. To her left is Commission Scott Rupp.
7 You want to say any greetings.

8 COMMISSIONER RUPP: Welcome. Thank you for
9 including us in tonight festivities. One thing I do
10 want to remind everyone is if you've not sat through
11 one of these before is we're only here to listen. We
12 cannot answer any of your questions. Just think of it
13 as if you were to bump into a judge while you're at the
14 grocery store. He can't talk about pending cases in
15 front of him because somebody could come back and say
16 you're influencing them. So we will sit here, and we
17 will listen to everything you say. But if you pose a
18 question to the commissioner or I, we will not be able
19 to respond. So I'd like to bring that up. Sometimes
20 people think we're being flippant or we're not
21 listening to them. We legally cannot answer those
22 questions.

23 So we are here to listen, and we're also --
24 the court is going to be transcribing this for the
25 other commissioners who couldn't be here tonight. They

1 will read that testimony as well. So thank you for
2 appearing for this.

3 JUDGE WOODRUFF: The procedure I have a
4 sign-up sheet that some of you signed before the
5 hearing. I'll just go down the list and call you to
6 give your testimony. If you didn't sign the sheet,
7 that's fine. After I go through the three names that
8 are on the list here, I'll just ask if anybody else
9 wants to testify. If anybody else wants to, they can
10 feel free to do so.

11 Since we've got a very small room here, you
12 can just stay where you're at and testify from your
13 seat. I'll swear you in to tell the truth, the whole
14 truth and nothing but the truth, and we'll let you
15 speak. After you've spoken, the commissioners may have
16 questions for you, or I may have questions for you. Or
17 the attorneys for the parties may have questions for
18 you, too. Just expect that possibility.

19 All right. Before I call the first witness,
20 I need to take care of something else. We need to
21 determine which attorneys are here for the parties
22 beginning with the company.

23 MR. PENDERGAST: My name's Michael
24 Pendergast appearing on behalf of Liberties Utilities,
25 and my information was previously provided in the last

1 public hearing.

2 JUDGE WOODRUFF: For the Staff of the
3 Commission.

4 MS. ASLIN: Casi Aslin for the Staff of the
5 Public Service Commission, and my information has also
6 been provided to the court reporter.

7 JUDGE WOODRUFF: Office of the Public
8 Counsel.

9 MR. WILLIAMS: Hampton Williams for the
10 Office of the Public Counsel. My information has been
11 provided to the court reporter.

12 JUDGE WOODRUFF: Okay. And I actually have
13 a laptop with a timer on it here, but since we've only
14 got a few people here that want to testify, I'm just
15 going to not really use it. But I ask that you kind of
16 keep your testimony to about five minutes just in
17 consideration for everyone else in the room that might
18 want to testify after you. So we'll call the first
19 name, which is Richard Frenzel.

20 MR. FRENZEL: I guess that falls to me.
21 Thank you.

22 JUDGE WOODRUFF: Let me swear in you first.

23 MR. FRENZEL: Sure.

24 (At this time Richard Frenzel was sworn
25 in by the regulatory law judge.)

1 JUDGE WOODRUFF: And what would you like to
2 tell us.

3 MR. FRENZEL: I'd like to thank you for
4 having this hearing here today. I would just like to
5 voice my concern on the possible rate increase for the
6 delivery charge. I asked questions of not only the
7 Missouri Public Service Commission but Liberty
8 Utilities and lots of other -- state's attorney in Cape
9 Girardeau trying to get information on -- on why these
10 rates go up and how much they go up and the process
11 that's in it, and no one ever wants to seem to give me
12 an answer to how much they pay for natural gas or why
13 the delivery charge needs to go up.

14 I think it was the beginning of 2015 the
15 distribution rate went up from 9 cents to 18 cents per
16 100 cubic therms, and when I called Mr. Emhoff with the
17 Public Service Commission, he told me that the Missouri
18 Public Service Commission and the regulatory bodies
19 decided that to raise the distribution commodity would
20 be less invasive on the rest of the public instead of
21 raising a delivery charge. So they kept the delivery
22 charge at \$13.75 but doubled the distribution rate to
23 18 -- from 9 cents to 18 cents, and he explained to me
24 at the time that all of the information that I needed
25 to why they made the decision was proprietary and no

1 one could give me any answers.

2 In this December just past three months ago,
3 the PGA went from 29 cents to 54 cents and change, and
4 nobody within Liberty Utilities or Missouri Public
5 Service Commission gives me a valid reason why the rate
6 has changed. They all want to hide behind this is
7 proprietary, or this is information that the company
8 can't give you. But between the -- the proposed
9 delivery charge to go from \$13 to \$22 is almost 100
10 percent. The distribution commodity went from 9 cents
11 to 18, and the PGA from 29 cents to 54 cents. You've
12 literally doubled my natural gas bill within the last
13 few years, and nobody can give me a good reason why all
14 of the components that have been used to justify the
15 reason for the gas bill going up that high.

16 I was hoping to get a little bit more
17 information here today. I have some answers and some
18 people I can contact in the future, but I -- I hope the
19 Missouri Public Service Commission has a watch guard
20 over the public 's rights and interests that you take
21 all of that information that I heard at the prior
22 meeting tonight and not only open this up so that the
23 public knows a little bit more about how you're making
24 the decisions but that you make a good decision on what
25 is actually needed for the -- for the company for their

1 proposed infrastructure or whatever they need the
2 money. Just give the public some knowledge of where
3 this money is going, and you wouldn't have so many
4 people angered over doubling of these rates.

5 I sure wish I had a glass of water but thank
6 you. Thank you for your time.

7 JUDGE WOODRUFF: You say you need some
8 water. This is an unopened bottle of water if you want
9 it. It's pretty warm in here.

10 MR. FRENZEL: It's not just warm, but I'm
11 not a public speaker. And I'm so glad that you're here
12 to listen to us. I realize that you have to be a watch
13 guard over the companies, but the companies have their
14 need for what they're doing for their employees and
15 their business. You work for the State of Missouri and
16 the people who you represent. We just need a balance
17 between the two of them on giving us the information to
18 justify what they need. If they really need these rate
19 increases and you can justify it by the purchase
20 price -- it's not just this delivery charge this time.
21 They tell me that the PGA's not included in any of this
22 rate increase, but nobody wants to answer to me where
23 they're buying that gas from and why the price doubled
24 in just the last few months there. And like I said,
25 this Mr. Emhoff, whom I spoke with a few years ago -- I

1 don't know if he's still with the Missouri Public
2 Service Commission -- he said that at the time they
3 raised the distribution rate from 9 cents to 18 cents
4 it wouldn't affect the people -- the elderly people or
5 people who couldn't afford the rate increase as much
6 than raising the delivery charge, but if I look at my
7 natural gas bill, 18 cents on top of 54 cents is 72
8 cents per 100 cubic therms. And it's two to three
9 times what the market is going out.

10 So just explain to me where -- where the
11 cost of all of this gas is coming from, and you would
12 make a lot more people happier to pay their bill if
13 they knew where the money was going and justifiably so.

14 JUDGE WOODRUFF: I can't explain all that
15 for you tonight.

16 MR. FRENZEL: I realize that.

17 JUDGE WOODRUFF: I will tell you that if
18 you're interested in the evidentiary hearings they'll
19 be taking place the last two weeks of May. It's all
20 webcast.

21 MR. FRENZEL: Okay. It's on the webcast.

22 JUDGE WOODRUFF: Psc.mo.gov.

23 MR. FRENZEL: Okay.

24 JUDGE WOODRUFF: You can find it there, as a
25 matter of fact, every time the commission meets for

1 agenda meeting that's also available. That's also
2 webcast. So you can literally watch all the testimony.
3 You can watch the commissioners deliberate about it as
4 well.

5 MR. FRENZEL: It's kind of like watching
6 C-SPAN.

7 JUDGE WOODRUFF: Yeah. Probably not as
8 exciting, but we do make it available.

9 MR. FRENZEL: Okay.

10 JUDGE WOODRUFF: And ultimately the
11 commission will issue a written decision that explains
12 in detail why they're making the decision that they're
13 making.

14 MR. FRENZEL: Okay.

15 MS. QUICK: And when is that going to be?

16 JUDGE WOODRUFF: It's the last two weeks in
17 May. It's probably in some of this information.

18 MR. FRENZEL: Every state has a citizens
19 utility board in Illinois. I lived in Chicago most of
20 my life. I retired here in Jackson. I love it in
21 Jackson, and the citizens utility board took care of
22 all of the different utilities in around the Chicago
23 area. You do great work, but sometimes with its
24 proprietary information and legal stuff that people --
25 the companies can't put out is just mind boggling to

1 the regular citizen who has to foot the bill for all of
2 this. If you can justify it, I don't mind paying it,
3 but when you give me smoke and mirrors and say, well,
4 we can't tell you this is -- we have to keep secret who
5 we're buying gas from, that doesn't make sense to me.

6 JUDGE WOODRUFF: Well, thank you, sir.

7 MR. FRENZEL: Thank you.

8 JUDGE WOODRUFF: Did you have any questions?

9 COMMISSIONER RUPP: I want -- I don't have a
10 question, but I have a comment.

11 MR. FRENZEL: Okay.

12 COMMISSIONER RUPP: You're spot on. This
13 industry's way too complicated, and it's starting to
14 change and become easier to understand. But it's a
15 slow process, but your point about some of the
16 proprietary information the commission has agreed with
17 you. And just this past year we changed some of our
18 rules on what is highly -- what's highly confidential
19 information and what is not because what we had found
20 sometimes companies had portrayed the stuff is very
21 proprietary highly confidential, and we also looked at
22 it like why couldn't the public see this. So we went
23 through, and we changed our own rules on what we put
24 out there as highly confidential and proprietary so as
25 to give more information to the public. So I'm not

1 surprised three years ago a gentleman may have said
2 some of that information was proprietary; hopefully, in
3 the future you won't -- you'll get more information
4 coming from the Commission.

5 MR. FRENZEL: Thank you very much.

6 JUDGE WOODRUFF: Next name on the list is
7 Bud Craven.

8 MR. CRAVEN: I'm he.

9 (At this time Bud Craven was sworn
10 in by the regulatory law judge.)

11 JUDGE WOODRUFF: Thank you. What would you
12 like to tell us.

13 MR. CRAVEN: First of all, I -- as you hear
14 people talking here, everyone here I think believes in
15 capitalism. People deserve a profit, and I would hope
16 that you'd make hundreds of millions. And I'd be happy
17 for you, but people just don't want it on their back.
18 I mean, when you look at 100 percent or 90 percent when
19 you look at going from 13.75 to 22.50 that appears to
20 be outrageous, and I would say also I'd like to say a
21 good thank you to the Public Service Commission four
22 years ago when you made no increase because obviously
23 your actuary your people must've found that there was
24 no causation to make that kind of increase.

25 There were some arguments made at the

1 meeting last time that there were damaged pipes, or
2 they had problems like that. Then we had witnesses
3 that, no, that's not true -- that Atmos was taking good
4 care of their -- of their property or the pipes and all
5 that. So I guess I had to learn to be careful.

6 One thing that I would particularly like to
7 know is the jump, and I don't know. Maybe I'm not as
8 bright as I think I am, and I listened to a lot of the
9 information that we had in questions and answers. But
10 it wasn't clear.

11 It would be nice to know the exact cost of
12 gas. How hard can that be? We found out a while ago
13 it was 29. It went to 55, and then you presume that's
14 the actual cost coming out of the ground or from people
15 who are selling gas, you know, Texas Eastern or whoever
16 it is. But then we found out that there's new charges
17 being shown in there. That something's different. I
18 think that's wrong. We should know the exact cost that
19 they pay to get the gas to them. That would help to
20 try to understand the cost of an increase.

21 The other thing is I'm -- we're comfortable
22 people. Why? Because we worked like crazy all of our
23 life. My wife works -- just works five weeks of 12
24 hour days or five days of 12 hour days. She's worked a
25 20-hour shift at times. I worked. I was a coach and

1 taught history in high school, and there's many days I
2 worked 15 to 20 hours on trips and things like this.
3 But we saved like crazy, but what I do know is that
4 southeast Missouri has some of the poorest people in
5 the United States in it. And we're -- maybe I can
6 afford a 25 percent raise. It's outrageous to them,
7 and I feel it's outrageous to me. And again I say five
8 percent. Five percent I understand your good
9 employees, and I spoke to a couple of your employees
10 the other day. They're fine people, and I hope they
11 get a good raise. I want them to have it. I want them
12 to live well. He talked about buying a nicer home. I
13 so to live in the community and be part of that, but
14 where do you come off with a 90 percent -- what I'm
15 looking at here, and last time, you know, when they
16 show simple figures. But when you get into it, it's
17 much more than what it appears because it's all muddy,
18 you know, and you can go -- I'm the same way.

19 I got a phone. We got computers. My wife's
20 operates supercomputers, but it's muddy. It's still
21 very muddy as I appreciate Mr. Rupp your -- your
22 talking about this, but again, I hope that when you
23 look throughout southeast Missouri -- and when you look
24 at the map here, Liberty a Canadian company coming down
25 here and investing in this area. They made a business

1 decision, and you represent the whole state. But they
2 made a business decision, and for whatever reason, they
3 feel that this is unfair that we're getting cheaper
4 supposedly down here. Well, you mentioned as one lady
5 here will speak. That's a business decision. It's a
6 business decision where to buy your gas and all those
7 other aspects of business, but you cannot go I hope
8 here like in the State of Missouri where we have Public
9 Service Counsel and Commission and make some outrageous
10 attempt to increase people's -- the rate, which is just
11 grossly unfair.

12 So I hope that you will take a close look at
13 that. I would like to have -- we would like to have
14 clear figures. Surely someone -- surely your actuary
15 -- I'm assuming that's your -- the gentleman with the
16 hat that's your job I assume. We would like to have
17 those figures so we can look at, and we -- to helps us
18 understand this better. And -- but we -- I am
19 convinced there's no hundred or 90 to 25 percent rate
20 increase that can possibly be justified here and
21 especially when I know that gas is virtually the
22 cheapest it's ever been in history, and that's why I
23 asked about this jump from 29 to 54. And I found out
24 they're putting other costs in there not the actual
25 just the cost of gas. Thank you. My wife's -- do you

1 have anything you want to add? All right.

2 JUDGE WOODRUFF: Thank you, sir. Any
3 questions?

4 COMMISSIONER COLEMAN: Thank you, sir.

5 JUDGE WOODRUFF: Next name on the list is
6 Alvin Hoffman.

7 MR. HOFFMAN: Here.

8 (At this time Alvin Hoffman was sworn
9 in by the regulatory law judge.)

10 JUDGE WOODRUFF: What would you like to tell
11 us.

12 MR. HOFFMAN: Well, I lived in Jackson a
13 long time. I had a restaurant here for 35 years, and
14 whatever it was before Atmos. Atmos is now Liberty.
15 They do a good job of service and delivering the gas
16 property. Thank you. You guys are good people, but on
17 the flip side, the business I got a barbecue cooker and
18 two fryers and a hot water heater. So that's going to
19 increase my cost of doing business. So do I pass that
20 on or just eat it, and then at home same way. So I --
21 I'm happy with a moderate increase, but I just think
22 that this is a little too high. So I hope y'all will
23 take that into consideration.

24 JUDGE WOODRUFF: All right. Thank you. Any
25 questions?

1 MR. COLEMAN: Thank you, sir.

2 JUDGE WOODRUFF: Thank you, sir. Those are
3 the three names that are on my list. Is there anyone
4 else here who would like to offer testimony? Yes, sir.

5 MR. REED: Do you need a name or
6 information?

7 JUDGE WOODRUFF: Yes. I do need your name.

8 MR. REED: Should I sign it, or can I give
9 it to you?

10 JUDGE WOODRUFF: Just give it to me.

11 MR. REED: Mark Reed, R-E-E-D.

12 (At this time Mark Reed was sworn
13 in by the regulatory law judge.)

14 JUDGE WOODRUFF: What had you like to tell
15 us.

16 MR. REED: I concur with the other folks
17 that's spoken, and just we've had some numbers thrown
18 around tonight that it's only a 25 percent or 30
19 percent increase. When I look at my bills -- I don't
20 have all my bills here. We recently moved to the area.
21 So I don't have a history like some of these women and
22 folks do, but I've seen a 40 to 60 percent increase in
23 my bills with the rates using their numbers. So since
24 we've moved here, I've had increases in three different
25 services that I have to have, and like everybody else,

1 my income's not going up.

2 I understand the business. I understand the
3 same concerns that everyone else is expressed here. I
4 am a little concerned that evidently Atmos -- and I
5 wasn't here as a customer then, but they seem to be
6 functioning. Someone did come in and buy that company.
7 Liberty bought it. Again, that was a business
8 decision, and to know say that southeast Missouri has
9 to pay the same rate as other parts of the state simply
10 because the same company owns all of those services
11 doesn't really make sense to me. That's just trying to
12 raise our rates for the sake of raising the rates is
13 what it appears to me.

14 If you can explain to me how much it costs
15 to provide services and how we haven't been paying our
16 bills all these years or haven't been paying our way in
17 this part of the state and show me that we have to pay
18 the same as everyone else in order to reach that level,
19 okay. Let's talk about again same thing everyone else
20 has said. Show me facts and figures, but to simply say
21 that everyone else is paying this so it's only fair for
22 you to pay this too doesn't make any sense to me. If
23 our services are standing alone and making a profit,
24 which evidently they were or this company wouldn't have
25 bought it, and if they did come and buy us in order to

1 raise rates, then I -- that's a little hard to stomach.
2 So just take that into consideration. Again, we --
3 everything seems to be going up.

4 JUDGE WOODRUFF: Thank you, sir. Any
5 questions?

6 COMMISSIONER COLEMAN: No. Thank you, sir.

7 MR. REED: Thank you.

8 JUDGE WOODRUFF: Anyone else wish to
9 testify? I don't see any other hands going up. So I
10 thank you all for coming this evening, and we are
11 adjourned.

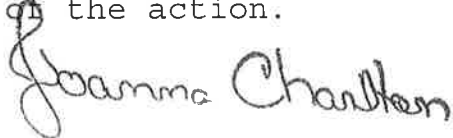
12 (WHEREIN, the hearing was concluded
13 at 7:16 p.m.)

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CERTIFICATE OF REPORTER

I, JOANNA CHARLTON, RPR, CCR(MO), CSR(IL),
the officer before whom the foregoing public hearing
was taken, do hereby certify that the witnesses whose
testimony appears in the foregoing public hearing was
duly sworn; that the testimony of said witnesses 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 public hearing
was taken, and further that I am not a relative or
employee of any attorney or counsel employed by the
parties thereto, nor financially or otherwise
interested in the outcome of the action.



JOANNA CHARLTON,
RPR, CCR(MO), CSR(IL)

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