

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
TRANSCRIPT OF PROCEEDINGS

Public Hearing

January 2, 2007

St. Louis County Library  
St. Louis, Missouri

Volume 2

In the Matter of Union       )  
Electric Company d/b/a       )  
AmerenUE for Authority       )  
to File Tariffs Increasing) Case No. ER-2007-0002  
Rates for Electric Service)  
Provided to Customers in    )  
the Company's Missouri       )  
Service Area                 )

In the Matter of Union       )  
Electric Company d/b/a       )  
AmerenUE for Authority       )  
to File Tariffs Increasing) Case No. GR-2007-0003  
Rates for Natural Gas        )  
Service Provided to           )  
Customers in the Company's)  
Missouri Service Area.       )

CHERLYN D. VOSS, Presiding  
REGULATORY LAW JUDGE  
JEFF DAVIS, Chairman  
CONNIE MURRAY  
STEVE GAW  
ROBERT M. CLAYTON III  
LINWARD "LIN" APPLING,  
COMMISSIONERS

Reported by: Wanda L. Greenlee, CCR No. 1188

1                   A P P E A R A N C E S

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3                   AARP and Consumers Council of Missouri:

4                   Mr. John B. Coffman

5

6                   Public Service Counsel:

7                   Mr. Lewis R. Mills, Jr.

8

9                   Public Service Commission Staff:

10                  Mr. Greg Ochoa

11                  Ms. Lisa Kramer

12                  Mr. Dan Beck

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16

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18                  The Court Reporter:

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1                   \* \* \* \* \*

2                   PROCEEDINGS

3                   JUDGE VOSS: We'll begin the public  
4   hearing in the matter of Union Electric Company, d/b/a  
5   AmerenUE's request for authority to file tariffs,  
6   increasing rates for electric service provided to  
7   customers in the company's Missouri service area,  
8   Commission Case No. ER-2007-0002.

9                   We will also be taking comments on  
10   storm-related service issues in Case No. EO-2007-0037  
11   in the case which the Commission established to  
12   investigate recent storm outages and restoration  
13   efforts of AmerenUE.

14                  We'll begin by taking entries of  
15   appearance from any counsel that are present. Union  
16   Electric Company d/b/a AmerenUE.

17                  MS. TATRO: I'm not going to be entering  
18   my appearance, because if you remember, I'm a Kansas  
19   transplant who doesn't have a Missouri license yet.

20                  JUDGE VOSS: Okay. Let the record  
21   reflect that Missouri Counsel for AmerenUE is not  
22   present. AARP.

23                  MR. COFFMAN: John B. Coffman, 871  
24   Tuxedo Boulevard, St. Louis, Missouri 63119, appearing  
25   on behalf of AARP and the Consumers Council of

1 Missouri.

2 JUDGE VOSS: Thank you. Counsel for  
3 Aquila Networks. Let the record reflect Aquila is not  
4 represented. Laclede Gas Company. Laclede is not  
5 represented by counsel today. The Association of  
6 Social Welfare. The Missouri Department of Economic  
7 Development. This is going to be a big case.

8 The Missouri Department of Natural  
9 Resources. The Missouri Energy Group. The Missouri  
10 Industrial Energy Consumers. The Missouri Retailers  
11 Association. MoCAN. Miranda Aluminum. The State of  
12 Missouri. UE Joint Bargaining Committee. Staff from  
13 the Missouri Billing Service Commission. The Office of  
14 Public Counsel.

15 MR. MILLS: On behalf of the Office of  
16 Public Counsel and the public, my name is Lewis Mills.  
17 My address is P.O. Box 2230, Jefferson City, Missouri  
18 65102.

19 JUDGE VOSS: Would the Commissioners  
20 like to make any opening remarks?

21 CHAIRMAN DAVIS: Judge, I just want to  
22 say thank you to everyone for showing up here today. I  
23 also want you to know that your comments do matter,  
24 that we are here to listen. You know, if you have any  
25 specific complaints about service quality, please be as

1 specific as you can and give us as much detail as you  
2 can about where the problem is, what the problem is, et  
3 cetera.

4 And, you know, also, please be mindful  
5 that we do have, you know, a lot of people here that  
6 probably want to testify today, and that if you  
7 organize your thoughts and state them clearly, that  
8 will help everything move a lot faster and we can get  
9 through this so, you know, people can go back to their  
10 jobs and their lives.

11 But we do thank you. We really  
12 appreciate all of you showing up here today, taking the  
13 time out of your schedules to come here on the day  
14 after New Year's Day, and we look forward to hearing  
15 from you.

16 JUDGE VOSS: Okay. Our first witness  
17 this evening is Senator Tim Green. Can you state and  
18 spell your name, please?

19 MR. GREEN: My name is Timothy Green,  
20 T-I-M-O-T-H-Y, G-R-E-E-N. I live at 12100 Aragon,  
21 Spanish Lake, Missouri 63138.

22 JUDGE VOSS: Are you currently a  
23 customer of AmerenUE?

24 MR. GREEN: My entire life.

25 JUDGE VOSS: Do you have a statement or

1 comment that you would like to make?

2 MR. GREEN: Yes.

3 JUDGE VOSS: Please proceed.

4 MR. GREEN: I would like to begin --

5 JUDGE VOSS: Oh, excuse me. I forgot to  
6 swear you in.

7 TIMOTHY GREEN,  
8 after being first duly sworn to tell the truth  
9 testifies as follows:

10 JUDGE VOSS: Please proceed.

11 MR. GREEN: I would like to begin by  
12 extending my gratitude to the Public Service  
13 Commissioners and the Public Service Commission staff  
14 who have made this public hearing possible.

15 As the state senator representing the  
16 people hardest hit during the July storms in St. Louis  
17 and having a significant number of constituents hit by  
18 the recent winter storms, I want to call attention to  
19 the facts regarding AmerenUE's storm restoration plans  
20 and share with you what actions I believe must be taken  
21 to correct these reoccurring problems prior to any  
22 increase in rates. I am convinced that AmerenUE bears  
23 blame.

24 (Applause.)

25 I will continue. Vegetation removal is

1 important to all my constituents who were severely  
2 impacted by these storms. It is clear that AmerenUE's  
3 tree trimming budget remains inadequate and failed to  
4 address the needs of many communities located in north  
5 St. Louis County and the entire St. Louis Metropolitan  
6 area.

7                   Although AmerenUE continues to work  
8 toward the elimination of trimming backlog per its  
9 prior agreement with the Public Service Commission  
10 staff, a significant amount of vegetation remains.  
11 Beginning in 2004, all three PSC investigative reports  
12 indicate a growing problem with the backlog of  
13 vegetation removal.

14                   The PSC staff investigation following  
15 the ice storm in January of 2002 observed that AmerenUE  
16 had generally increased its expenditures on vegetation  
17 management from 1998 to 2001, with a slight decrease in  
18 2001.

19                   In 2004, the PSC stated that the  
20 situation had not improved. The PSC reported further  
21 details that AmerenUE had not increased its vegetation  
22 management expenditures since 2000, and has in fact  
23 spent far less each year since 2000.

24                   AmerenUE has stated that its tree  
25 trimming budget has increased. This is false. I use a

1 quotation from a staff report on restoration efforts of  
2 AmerenUE following the storms on July 5th, 2004.  
3 Quote, the PSC staff's informal investigation following  
4 the ice storm in January of 2002, it was observed that  
5 AmerenUE had generally increased its expenditures on  
6 vegetation management from '98 to 2001, with a slight  
7 decrease in 2001 versus 2000.

8                   It was anticipated in 2002 that AmerenUE  
9 would be able to make some progress on vegetation  
10 management schedules with these increases and  
11 expenditures. At this time, staff view of AmerenUE's  
12 vegetation management trim cycles is that the situation  
13 has not improved.

14                   I have received many telephone calls and  
15 letters from my constituents, my neighbors, regarding  
16 the frequent power outages and the negative impact on  
17 daily life these outages have created.

18                   One constituent who has tracked the  
19 outages in his neighborhood since 1992 lived with the  
20 outages ranging from several hours to nine days. This  
21 level of so-called service is unacceptable. AmerenUE,  
22 a public utility, has consistently placed the interests  
23 of its stockholders and stock price above the needs of  
24 the rate payers, their consumers. The company's  
25 philosophy to me is appalling.



1 (Applause.)

2 We must spend more money on maintenance.

3 I agree. The question should be: What have they been  
4 spending money on instead of infrastructure  
5 maintenance?

6 I read a recent news account about a  
7 subdivision in north St. Louis County where AmerenUE  
8 recently upgraded the power grid. The company trimmed  
9 trees and upgraded infrastructure. When the winter ice  
10 storm hit, the power stayed on. I believe that this  
11 was no coincidence, and if only AmerenUE would invest  
12 in grid-wide infrastructure maintenance, the impact of  
13 these storms would be less severe.

14 Investment and upgrading and maintaining  
15 infrastructure should be a priority, not executive  
16 bonuses. When power outages force people to flee their  
17 overheated or frigid homes and seek shelter elsewhere,  
18 throw out spoiled food, pay for unbudgeted housing and  
19 food costs, to say nothing of those confronting serious  
20 health emergencies, something needs to change.

21 I heard from a constituent that recently  
22 had heart surgery and was recuperating at home when the  
23 power went out this summer. A week in the hospital and  
24 nearly a quarter million dollars in healthcare costs  
25 later, the power was restored and he was able to return

1 to the comfort of his home. Do you think his health  
2 insurance is going to pick up the tab for these costs?

3 The business company is also negatively  
4 impacted by these reoccurring outages. Ameren's CEO,  
5 Gary Rainwater, will be the incoming chairman of the  
6 Regional Chamber and Growth Association. The RCGA has  
7 a brand-new campaign titled, Perfectly Centered,  
8 Remarkably Connected. When the lights are off and the  
9 power is out, you are not connected to the world.

10 Business needs electric service just  
11 like residential customers. What is the message  
12 St. Louis is sending to prospective businesses when  
13 they find a history of unreliable electric service?

14 These critical statements are aimed  
15 solely -- and I repeat, solely -- at the decisions made  
16 by AmerenUE executives, not -- I repeat, not -- to the  
17 employees and not the linemen that deserve our sincere  
18 gratitude for their hard work in restoring our electric  
19 service to the customer.

20 (Applause.)

21 Although it is unlikely that AmerenUE  
22 could've eliminated the entire backlog of tree  
23 trimming, far more should have been accomplished since  
24 the last ice storm that hit in 2002. AmerenUE  
25 management must be held accountable for failing to

1 demonstrably increase its tree trimming budget.  
2 AmerenUE management should immediately adopt and  
3 implement all of the PSC's recommendations contained in  
4 the staff report on AmerenUE's outage planning and  
5 restoration effort following the storms on July 19th  
6 and 21 -- through 21st, 2006.

7 I ask that the rate increase be  
8 suspended until AmerenUE completes a detailed  
9 reliability study, eliminates the current backlog of  
10 tree trimming and increases its maintenance and upkeep.  
11 It is my sincere hope that by bringing attention to  
12 these problems, all of AmerenUE customers will have  
13 their power restored sooner and that AmerenUE will take  
14 a more aggressive approach to its tree trimming  
15 backlog, as well as pole replacement, so that during a  
16 future storm an outage will have far less impact on  
17 AmerenUE customers. Thank you.

18 JUDGE VOSS: Are there any questions  
19 from the Commissioners?

20 CHAIRMAN DAVIS: Thank you,  
21 Senator Green. We appreciate that. Good job.

22 JUDGE VOSS: Anybody have any questions?

23 COMMISSIONER MURRAY: Thank you,  
24 Senator. I just have one quick question. And that is:  
25 Would need a legislative change, a statutory change, to

1 suspend a rate case beyond the operation involved?

2 MR. GREEN: I believe you would.

3 COMMISSIONER MURRAY: Okay. I thought  
4 so. Thank you.

5 JUDGE VOSS: Are there any questions  
6 from the attorneys? Public counsel?

7 MR. MILLS: No questions.

8 JUDGE VOSS: Mr. Coffman.

9 MR. COFFMAN: Thank you.

10 (Applause.)

11 JUDGE VOSS: Thank you. Next, we'll  
12 call Michael -- and I apologize to anyone whose name I  
13 butcher this evening -- is it Caramanna? It looks like  
14 C-A-R-A-M- -- could you please -- let me swear you in  
15 first.

16 MICHAEL CARAMANNA,  
17 after being first duly sworn to tell the truth  
18 testifies as follows:

19 JUDGE VOSS: Could you please state and  
20 spell your name?

21 MR. CARAMANNA: My name is  
22 Michael Caramanna, C-A-R-A-M-A-N-N-A, first name is  
23 common spelling. My address is P.O. Box 221111,  
24 St. Louis, Missouri 63122.

25 JUDGE VOSS: Are you currently a

1 customer of AmerenUE?

2 MR. CARAMANNA: Unfortunately, I am.

3 JUDGE VOSS: Do you have a statement or  
4 comments that you would like to make?

5 MR. CARAMANNA: Yes, I have.

6 JUDGE VOSS: Please proceed.

7 MR. CARAMANNA: Thank you. First of  
8 all, I want to thank the Commission for their time. I  
9 appreciate it very much. Secondly, I want to make  
10 clear that I agree with everything that the Senator  
11 said, 100 percent. Now, for my comments.

12 I'm not here to talk about Taum Sauk  
13 mountain reservoir. We all know and we all feel -- at  
14 least if we don't, we should -- that the gross  
15 negligence and incompetence of Union Electric  
16 management caused that disaster.

17 (Applause.)

18 It's fortunate that no one was killed.  
19 And for them to want the taxpayers of Missouri to in  
20 any way, shape or form compensate them or help them  
21 rebuild that disaster is unacceptable.

22 (Applause.)

23 Secondly, I'm not here to talk about the  
24 summer storms, which by the way were the worst storms  
25 in history. How many times did we hear that this

1 summer? The worst storms in history. Never had storms  
2 like that before in our lives. Okay.

3 I would like to remind folks not only  
4 about the food that was spoiled and the money -- the  
5 hundreds and thousands of dollars that people lost and  
6 the housing and the lodging expenses. I'd like to  
7 remind people here of the people that died of heat  
8 frustration because they didn't have air conditioning.  
9 People died. And whose fault was it? AmerenUE's.

10 (Applause.)

11 I'm not here to talk about the winter  
12 storm. Guess what? The worst storm ever. We've never  
13 had a storm like that before. How ridiculous is the  
14 management of this company to put forth this garbage  
15 that they think we're going to believe. It's not even  
16 plausible. It's not reasonable. They're making  
17 millions and millions of dollars at an executive level  
18 to put forth this kind of garbage to the citizens of  
19 the State of Missouri. It's ridiculous.

20 Again, I want to remind everyone here  
21 that people died of hypothermia. People lost food,  
22 people had to lodge somewhere else. That cost them  
23 some money. It's a shame. And I say some money. It  
24 cost them a lot of money. But people died. And it's  
25 AmerenUE's responsibility.

1                   Now, I'm not here to talk about the  
2 millions of dollars in bonuses that the executives are  
3 making. And I did hear this gentleman -- or one of the  
4 gentleman from the Commission say that the bonuses are  
5 exempt now or have been eliminated. But they're still  
6 making millions of dollars.

7                   And they won't talk to the public. They  
8 won't talk to the press. Whatever his name is,  
9 Drainwater, Rainwater, he doesn't feel comfortable --  
10 he doesn't feel comfortable talking to the public.  
11 Well, let him go someplace else where he's comfortable.  
12 Let the whole management staff go some -- the executive  
13 staff go someplace else. Get a new Board of Directors  
14 and a new management staff on the upper end that's  
15 going to talk to people, that cares about the State of  
16 Missouri and the people that are paying the bills.

17                  Now, I'm going to give you an example of  
18 something that happened to me. And if this didn't  
19 happen to me, I probably wouldn't have wasted my time  
20 here today. All right. I would've assumed that  
21 Taum Sauk, the summer storm and the winter storm, the  
22 bonuses, that would all be discussed by somebody else.  
23 But I have a problem of my own.

24                  In September I got an electric bill.  
25 There were no storms. There was no disaster of the

1     reservoir. I got my electric bill. My electric bill  
2     looked peculiar to me. It looked to be too high. So I  
3     called AmerenUE and I questioned why my bill was so  
4     high, because I was out of town for the whole month.  
5     The only thing that was running was the refrigerator  
6     and an alarm clock. Why is my bill three times higher  
7     -- two times higher than it was the month before?

8     Well, they'll look into it. I never heard from them.

9                     Then I called back again. I requested  
10    that my meter be reread. I had to call AmerenUE 13  
11    times. I talked to a Brad, who was the only one that  
12    made any sense -- a Tishka, Alicia, Angela, JoAnn,  
13    Stellie, Jerry, Marshall, Stephanie, Beverly. Some of  
14    those people don't even talk English. You can't  
15    understand them.

16                    I don't -- I mean -- it's kind of an  
17    aside question, but is AmerenUE outsourcing their  
18    customer service to a foreign country?

19                    UNIDENTIFIED SPEAKER: Yes.

20                    UNIDENTIFIED SPEAKER: What customers?

21                    MR. CARAMANNA: Now, to continue my  
22    personal saga. They told me after about the fifth or  
23    sixth call that they couldn't find my meter. I'm  
24    telling you the truth. Am I under oath?

25                    JUDGE VOSS: Yes, you are.



1                   MR. CARAMANNA: Well, I'm telling you  
2 the truth. They told me they couldn't find my meter.  
3 I stayed home at their instruction the entire morning  
4 of September 26th, and I stayed home the entire morning  
5 of September 27th at their instruction, and nobody  
6 showed up. I also stayed home after some more phone  
7 calls the entire morning of October 5th -- this is all  
8 '06 -- and nobody showed up.

9                   Now, finally, when I got someone, they  
10 told me that they needed my help in finding the meter.  
11 This is their meter. The folks in this room, the meter  
12 is four feet from my front door. They never came out.  
13 They didn't give a damn. They figured I'd go away.  
14 But I didn't. Okay. I got all my notes. Here's my  
15 notes. They frustrated me so much that I started  
16 taking notes and copying down names. I don't have last  
17 names, but I got first names.

18                  All right. This all being said, the  
19 bottom line is: AmerenUE's customer service is  
20 nonexistent. They talk a good game, but it's not  
21 there. Finally, they reread my meter, I guess. And I  
22 got a form letter. I have a copy of it here. It says:  
23 Dear Customer, we find nothing wrong. Okay. Here it  
24 is. Form letter. Dear Customer. All right.

25                  I would ask the Commission to deny



1     come out of the rate money, but it comes out of the  
2     corporate money. Let them spend it more positively.  
3     Teach them a lesson. So when they come back in another  
4     ten years, maybe they'll deserve an increase. I'm  
5     sorry to be so harsh, but I'm frustrated.

6                     (Applause.)

7                     JUDGE VOSS: I'm sure the Commissioners  
8     may have some questions. Will you make sure you pick  
9     up one of the forms at the back and fill it out? And  
10    write "Complaint" on the top so that the staff can get  
11    back to you on some of your issues and things. Write  
12    down the sources of what's really going on with you.

13                    Chairman, do you have any questions?

14                    CHAIRMAN DAVIS: No, sir. Thank you for  
15    your time. And I'm confident that if you fill out one  
16    of those forms in the back that somebody with the PSC  
17    will -- they can come out and find your meter.

18                    MR. CARAMANNA: Well, in addition -- I  
19    want to -- I forgot to say that the only way I got  
20    AmerenUE to come out and reread my meter and do what  
21    they did was I had to call your offices twice. It was  
22    only after I called your offices and I spoke with a  
23    Stephanie and a Beverly at the PSC in Jefferson City  
24    that someone come out and do something from AmerenUE.

25                    And then I got a form letter. All

1 right. Now, I assume they came out and did something.  
2 Maybe they just generated the form letter. All right.  
3 Thank you very much.

4 JUDGE VOSS: There are some questions.

5 MR. CARAMANNA: Oh, thank you.

6 COMMISSIONER GAW: First of all, sir,  
7 thank you for coming.

8 UNIDENTIFIED SPEAKER: It's not working.

9 COMMISSIONER GAW: Is that better?

10 UNIDENTIFIED SPEAKERS: Yes.

11 COMMISSIONER GAW: Thank you for coming.

12 I want to ask follow-ups on a couple of your comments.  
13 First of all, when you stayed home on those days -- I  
14 think you said September the 26th and the 27th and  
15 again on October 5th.

16 MR. CARAMANNA: Yes.

17 COMMISSIONER GAW: All of those times I  
18 think, if I understood you correctly, you were staying  
19 home in order for you to meet them -- someone from  
20 AmerenUE coming to your house. I just want to make  
21 sure I'm clear on that.

22 MR. CARAMANNA: Yes, sir. That is  
23 correct. I was instructed that I needed to be there to  
24 have the meter read. And I explained -- to elaborate a  
25 little further, I explained to the people that I was

1 talking to -- and whoever they are, so-called customer  
2 service -- that they've read the meter for 15 years and  
3 I've never been there, but I had to be there this time.  
4 And then, of course, I was told that they couldn't find  
5 the meter. And then --

6 COMMISSIONER GAW: So then you're --

7 MR. CARAMANNA: -- then I was told I  
8 needed to help them find the meter. Okay. So, yes, at  
9 their request, their specific request, I was told that  
10 I needed to be there on September 26th, then on  
11 September 27th, and then on October 5th. And I never  
12 visited eyeball to eyeball with a human being during  
13 those days at any time.

14 I've never seen -- the only thing I've  
15 seen from an Ameren person is a truck go by. I've  
16 never had a conversation with an Ameren person until I  
17 walked in this room.

18 COMMISSIONER GAW: When they didn't show  
19 up on the 26th, did you have another conversation with  
20 them resetting for the 27th?

21 MR. CARAMANNA: Yes.

22 COMMISSIONER GAW: That's what I  
23 assumed, but I want to make sure the record is clear.

24 MR. CARAMANNA: Yes. Absolutely.

25 COMMISSIONER GAW: So then you stayed

1     again on the 27th?

2                   MR. CARAMANNA:  The morning of the 27th.  
3     They told me, Be there in the morning.

4                   COMMISSIONER GAW:  Now --

5                   MR. CARAMANNA:  You've got to be there  
6     all morning.  I said, Can you make it nine o'clock?  
7     Ten o'clock?  No.  Can't do that.  You got to sit there  
8     all morning, buddy.

9                   COMMISSIONER GAW:  Now, all of us have  
10    lots of things to do.  But on the 26th and 27th, were  
11    those normally work days for you or days that you would  
12    be going to work?

13                  MR. CARAMANNA:  Well, that's a good  
14    question.  I'm retired.

15                  COMMISSIONER GAW:  Okay.

16                  MR. CARAMANNA:  But in all fairness, it  
17    makes no difference.  I mean, I've got things to do.

18                  COMMISSIONER GAW:  Well, they wouldn't  
19    have known that, correct?

20                  MR. CARAMANNA:  I've got PSC hearings to  
21    go to.

22                  COMMISSIONER GAW:  I understand.  I  
23    guess my question is:  They wouldn't have known whether  
24    or not you were --

25                  MR. CARAMANNA:  No.  They would not

1 have --

2 COMMISSIONER GAW: -- retired or not?

3 MR. CARAMANNA: Right. They had no idea  
4 what my schedule was. I accommodated them because I  
5 wanted to get my bill straightened out.

6 COMMISSIONER GAW: And on October the  
7 5th, again, that was a reschedule off the 27th no-show?

8 MR. CARAMANNA: Yes, sir.

9 COMMISSIONER GAW: Did they tell you  
10 during those conversations why no one had showed up?

11 MR. CARAMANNA: I believe it was during  
12 that first period of time. After that I was told that  
13 they couldn't find the meter.

14 COMMISSIONER GAW: But were they  
15 suggesting that they had shown up?

16 MR. CARMANNA: Yes. And I suggested to  
17 them very strongly the fact that they hadn't.

18 COMMISSIONER GAW: Because no one came  
19 to your door?

20 MR. CARMANNA: Nobody rang my doorbell.  
21 I was home. I was waiting for them. I was looking for  
22 them. I was ready for them.

23 COMMISSIONER GAW: Okay. So no one has  
24 ever actually shown up and made contact with you?

25 MR. CARMANNA: No one ever, never, sir.

1                   COMMISSIONER GAW: No on the -- you made  
2 another statement in regard to these expenditures that  
3 are being made, whether that's at boxes at football  
4 games or at -- perhaps bonuses and other things they  
5 might be paying out.

6                   And you made a statement that you said  
7 you wish that they would spend that money more  
8 positively. Would you mind elaborating on that just a  
9 little bit? I think I know what you're referring to,  
10 but I would like for you to say a few more words on  
11 that.

12                  MR. CARAMANNA: Before you sat here at  
13 the head, I don't know if you were at the back of the  
14 room or not, but --

15                  COMMISSIONER GAW: We were not allowed  
16 in during that period of time.

17                  MR. CARMANNA: All right. There was a  
18 40 minute question-and-answer session. And it was  
19 brought up about the signage at the ballpark, the  
20 advertising signage. And there was a conversation  
21 about the advertising signage -- and if I misspeak at  
22 all, please someone here help me, because I don't want  
23 to misspeak -- and the costs involved in that signage  
24 and was it appropriate for a utility that is regulated  
25 and, really, has a captive audience and captive market.



1                   Is it appropriate to have that kind of  
2   signage expenditure and advertising expenditures and  
3   what have you? Because whether they spend it or not,  
4   they've still got the same customer base. The only  
5   thing they're doing is fluff for Wall Street, I guess.  
6   All right.

7                   Now, it was brought up by myself in a  
8   question to the AmerenUE people in the room, Isn't it  
9   true -- and I knew the answer. You know, a good  
10   attorney -- and I'm not an attorney -- but a good  
11   attorney always knows the answer to the question before  
12   he asks it.

13                  And I asked the AmerenUE people in this  
14   room, wasn't it true that there were luxury boxes at  
15   the baseball park; wasn't it true that there were  
16   luxury boxes at the Savvis Center; wasn't it true that  
17   there were luxury boxes at the Rams games. I didn't  
18   bring up the fact -- I think they -- you know, they  
19   also have some retreat somewhere where the executives  
20   can go and relax out in the country. All right.

21                  Now, I suggested that they take the  
22   millions of dollars that they're spending on that --  
23   although it's not in the rate case, that's money that's  
24   aside, but it's corporate dollars. I'm suggesting that  
25   they take the millions of dollars -- and it's a lot of

1 money -- and they take that money and they spend it on  
2 the citizens of Missouri -- they spend it on a heavier  
3 gauge wire; they spend it on newer poles when they're  
4 needed; they spend it on tree trimming; they spend it  
5 on customer service that when you tell a customer  
6 you're going to be there you have a human being to go  
7 there. That's what my point was.

8 COMMISSIONER GAW: I'm going to stop  
9 there because I know we have a number -- a lot of  
10 people that want to say some things, but I could ask  
11 you a lot more questions if it weren't for that. I  
12 appreciate very much for the time that you spent this  
13 afternoon. Thank you, sir.

14 MR. CARAMANNA: Well, thank you for your  
15 time again.

16 COMMISSIONER CLAYTON: Mr. Caramanna, I  
17 just have a few questions very quickly. You said that  
18 they finally read your meter on or about October 5th;  
19 is that correct?

20 MR. CARAMANNA: Well, I don't know that.  
21 The only thing I got was a letter, and it says they  
22 were -- on October 11th -- this all started back in  
23 September. On October 11th, they finally got --  
24 according to the letter -- they were at my premises and  
25 they tested the meter, and they found it to be 99

1 percent accurate.

2                   It's a form letter. They probably --  
3 anytime somebody complains, they probably kick out  
4 these letters. It would be interesting to know how  
5 many of these go out a month.

6                   COMMISSIONER CLAYTON: So there was no  
7 change -- the result is that there was no change from  
8 the bill that was supposedly three times higher than  
9 the August bill?

10                  MR. CARAMANNA: Well, I said three  
11 times, but then I changed it to two times.

12                  COMMISSIONER CLAYTON: Two times.

13                  UNIDENTIFIED SPEAKER: Well, he wasn't  
14 home. He wasn't home that month.

15                  MR. CARAMANNA: Right.

16                  COMMISSIONER CLAYTON: Okay. So the  
17 resolution was -- you didn't get the resolution you  
18 were looking for --

19                  MR. CARMANNA: No.

20                  COMMISSIONER CLAYTON: -- even after all  
21 that?

22                  MR. CARAMANNA: No. No. And here's my  
23 resolution right here.

24                  COMMISSIONER CLAYTON: Okay.

25 Mr. Caramanna, were you out in the ice storm? Did your

1 power go out?

2 MR. CARAMANNA: It did. But,  
3 fortunately, not as severely as a lot of my neighbors.

4 COMMISSIONER CLAYTON: Did it go out in  
5 July?

6 MR. CARAMANNA: Yes, it did. But,  
7 fortunately, again --

8 COMMISSIONER CLAYTON: How many days did  
9 it go out in July?

10 MR. CARAMANNA: I was out about one day.  
11 I was lucky.

12 COMMISSIONER CLAYTON: You're not going  
13 to get any friends here.

14 MR. CARAMANNA: No, no, no. That's why  
15 I wasn't even going to come here.

16 COMMISSIONER CLAYTON: I understand.  
17 How many days were you out in the ice storm?

18 MR. CARAMANNA: About one.

19 COMMISSIONER CLAYTON: Just one?

20 MR. CARAMANNA: Yes. One or a little  
21 less, maybe. I was fortunate. The whole world wasn't  
22 out, but hundreds of thousands were, and I felt sorry  
23 for them.

24 COMMISSIONER CLAYTON: And what part of  
25 town are you from? West County?

1                   MR. CARAMANNA: I live in West  
2 St. Louis, unincorporated St. Louis County.

3                   COMMISSIONER CLAYTON: West County.  
4 Thank you very much for coming, Mr. Caramanna.

5                   MR. CARAMANNA: All right. Thank you so  
6 much.

7                   JUDGE VOSS: Thank you. Mr. Caramanna,  
8 I wanted to point you to Beverly. Beverly is at the  
9 back of the room. Beverly, she's with the Public  
10 Service Commission Staff Consumer Services Department.  
11 And she can help you file a complaint, if it's  
12 appropriate.

13                  MR. CARAMANNA: Okay. Beverly is one of  
14 the nice people that I talked to that finally had  
15 somebody come out from Union Electric. She got  
16 results. After a dozen of my phone calls, I couldn't  
17 get them to come out.

18                  JUDGE VOSS: Well, she can also help you  
19 if you need to file a complaint with regard to billing  
20 issues.

21                  MR. CARAMANNA: All right. Thank you  
22 very much.

23                  JUDGE VOSS: She's your girl.

24                  MR. CARAMANNA: Thank you.

25                  JUDGE VOSS: Thanks. Do any of the

1 attorneys have any questions? Then we'll call Mr. --  
2 is it Bill Johnson?

3 MR. JOHNSON: Yes.

4 JUDGE VOSS: Could you please state your  
5 name and spell it for the record, please?

6 MR. JOHNSON: William Johnson,  
7 J-O-H-N-S-O-N.

8 JUDGE VOSS: And could you please state  
9 your address?

10 MR. JOHNSON: 37 Smoke Tree Drive in  
11 Fenton.

12 JUDGE VOSS: Are you currently a  
13 customer of AmerenUE?

14 MR. JOHNSON: Yes.

15 UNIDENTIFIED SPEAKER: Swear him in,  
16 Judge.

17 WILLIAM JOHNSON,  
18 after being first duly sworn to tell the truth  
19 testifies as follows:

20 JUDGE VOSS: Okay. Do you have a  
21 statement or comments that you would like to make?

22 MR. JOHNSON: Well, I'm going to be a  
23 minority today and I'm probably going to make a bunch  
24 of people mad. And I'm here because of the negative  
25 publicity about the utility.

1 UNIDENTIFIED SPEAKERS: We can't hear.

2 We can't hear.

3 MR. JOHNSON: The negative -- I'm here

4 because of the negative publicity about AmerenUE.

5 Although I was not affected directly by the power

6 outages, the stores and supermarkets around me were

7 without, and I had a hard time getting groceries.

8 I saw firsthand in Mississippi after the

9 hurricane what electricity -- people there were

10 without. They were suffering. And I think Missouri

11 sent people down there. I was down there shortly after

12 -- no lights, no nothing. It was horrible.

13 They talk about the trees being trimmed.

14 Well, the trees were trimmed in my neighborhood about a

15 year and a half ago, and then all the neighbors

16 complained because the trees are trimmed and they

17 looked terrible. You know, nobody likes to have their

18 trees look terrible.

19 But -- after they were trimmed -- I

20 think it was in July '05 -- there was a storm went

21 through our area, and it knocked -- after the trimming,

22 it knocked a tree over down the street behind a highway

23 patrolman's house. We were without electricity for

24 three days. Now, it was only three days, but it was an

25 inconvenience. It was summertime, it was hot. I had

1 to sleep in the basement. We threw food out.

2 And then they -- you know, the -- what  
3 sickens me too are these -- the linemen, they go out  
4 there and work hard and it's a dangerous job. I  
5 wouldn't want to do it. I'm retired. I would not want  
6 to go out and -- they suffered a loss. One of their  
7 fellows got killed, and I'm sure others got hurt during  
8 that storm. And it's a dangerous profession. I  
9 certainly wouldn't want to do it.

10 And somebody alluded to the fact they're  
11 short of linemen. I think it's important that Union  
12 Electric or AmerenUE maintain a decent rate so they can  
13 attract these people and attract industry to the area.  
14 And that's all I've got to say. I just -- that's -- I  
15 felt compelled to be here because of the adverse  
16 publicity they receive.

17 JUDGE VOSS: Are there any questions of  
18 the Commissioners?

19 COMMISSIONER CLAYTON: Mr. Johnson, you  
20 said that Ameren came out and trimmed some trees  
21 recently?

22 MR. JOHNSON: Yes.

23 COMMISSIONER CLAYTON: When was that?

24 MR. JOHNSON: Well, it was about a year  
25 and a half ago.



1 COMMISSIONER CLAYTON: A year and a half  
2 ago?

3 MR. JOHNSON: Yes. It was before our  
4 summer storm in 2005. I think the storm came through  
5 in maybe August. They came early --

6 COMMISSIONER CLAYTON: Is that a  
7 different storm of the century?

8 MR. JOHNSON: That's a different storm.  
9 Correct. It was a real severe storm.

10 COMMISSIONER CLAYTON: Was it the one in  
11 '04 or '05? We had a storm of the century in '04, '05  
12 and two in '06.

13 (Applause.)

14 MR. JOHNSON: Well, I am getting older  
15 and my memory is not quite as good as used to be. It  
16 seems to me it was '05. It could've been --

17 COMMISSIONER CLAYTON: Okay. Now, you  
18 said they came out and trimmed the trees a year and a  
19 half ago, correct?

20 MR. JOHNSON: Correct.

21 COMMISSIONER CLAYTON: Did you lose  
22 power in July of this year?

23 MR. JOHNSON: No.

24 COMMISSIONER CLAYTON: Did you lose  
25 power in November of this year?

1 MR. JOHNSON: No.

2 COMMISSIONER CLAYTON: What a  
3 coincidence.

4 JUDGE VOSS: Any other questions?

5 COMMISSIONER MURRAY: I'd just like to  
6 say thank you for being here. I know it's difficult to  
7 come and give an unpopular opinion. We appreciate it.  
8 Thank you.

9 JUDGE VOSS: Are there any questions  
10 from the counsel? Thank you.

11 Next, Nancy -- is it Sachar?

12 MS. SACHAR: Sachar.

13 JUDGE VOSS: Sachar.

14 MS. SACHAR: It's always mispronounced,  
15 so don't --

16 JUDGE VOSS: My first name is Cherlyn.  
17 I'm with you. Okay. All right.

18 NANCY SACHAR,  
19 after being first duly sworn to tell the truth  
20 testifies as follows:

21 JUDGE VOSS: Could you please state and  
22 spell your name?

23 MS. SACHAR: Nancy, N-A-N-C-Y, Sachar,  
24 S-A-C-H-A-R.

25 JUDGE VOSS: Can you please state your

1 address?

2 MS. SACHAR: 8044 Lafon Place -- it's a  
3 little street in University City on the Clayton border.

4 JUDGE VOSS: Are you currently a  
5 customer of AmerenUE?

6 MS. SACHAR: Oh, yes.

7 JUDGE VOSS: Do you have a statement or  
8 comment you'd like to make?

9 MS. SACHAR: Yes, I do. It's very  
10 short.

11 JUDGE VOSS: Please proceed.

12 MS. SACHAR: I was without power for  
13 eight days in July and five in December. And I  
14 maintain that if you were not without power both of  
15 those times or at least one of them, you don't know  
16 what -- you just can't imagine what it's like to try to  
17 keep alive animals and people.

18 And then, December 28th, which was last  
19 Thursday, for no reason at all -- no snow, no anything  
20 -- my power went out again. I don't know if any of you  
21 -- I understand 500 houses were affected. I don't have  
22 any idea why that happened. There was no reason -- I  
23 mean, there wasn't any reason. And they would give no  
24 reason. UE would give no reason.

25 Now, my feeling is that they do know the

1 same houses are going out over and over again, and they  
2 know it. That they could fix the areas that are  
3 affected like that. And I, for one, would be glad to  
4 pay a user fee for the repairs.

5 UNIDENTIFIED SPEAKERS: No. No. No.

6 MS. SACHAR: I know that isn't popular,  
7 either. I think that -- I mean, that's what happens if  
8 you live in the East and you go on that New Jersey  
9 turnpike, you have to pay. And I think -- I don't  
10 think they're going to -- I don't think UE is going to  
11 fix these things.

12 UNIDENTIFIED SPEAKER: But they've  
13 waited too long to keep up with them now. They've  
14 waited too long.

15 MS. SACHAR: So what now? Anyway,  
16 that's really all I have to say. Except I've gotten  
17 very tired of hearing, If you have questions, look at  
18 your website. How could you look at your website when  
19 you didn't have a computer?

20 JUDGE VOSS: Does anybody have any  
21 questions?

22 CHAIRMAN DAVIS: Ma'am?

23 MS. SACHAR: Yes.

24 CHAIRMAN DAVIS: Ma'am, I'm afraid I'm  
25 going to mangle your last name, so I'll just call you

1     ma'am.

2                     MS. SACHAR: That's fine.

3                     CHAIRMAN DAVIS: In the last year, two  
4     years, three years, have you had any more of those  
5     unexplained power outages like you had on December  
6     28th? And if so, how many, roughly?

7                     MS. SACHAR: I really don't think I  
8     have. I might have. But the thing is, I wasn't really  
9     as scared. Now, I'm like -- I have post-traumatic  
10    stress syndrome. If I leave my house, I'm scared that  
11    it's going to go out.

12                    CHAIRMAN DAVIS: Okay. And how long was  
13    your power out on the 28th?

14                    MS. SACHAR: It was out about four or  
15    five hours.

16                    CHAIRMAN DAVIS: Four to five hours.

17                    MS. SACHAR: It was really -- that was  
18    just a few houses were affected, and it wasn't a  
19    weekend, in my belief -- that's what I believe.

20                    CHAIRMAN DAVIS: All right.

21                    MS. SACHAR: And there wasn't anything  
22    wrong. There was no snow, no ice. Finally, they said  
23    that there's a feeder. And I said, Can you tell me  
24    where that is? And they would not.

25                    CHAIRMAN DAVIS: Ma'am, are your lines

1    -- are they --

2                   MS. SACHAR:  They're not buried.

3                   CHAIRMAN DAVIS:  They're not buried.

4    Are they behind your house?

5                   MS. SACHAR:  Yes, they are.

6                   CHAIRMAN DAVIS:  Okay.  Thank you.

7                   JUDGE VOSS:  Any other questions from

8    counsel?  Thank you very much.  David Schilling.

9                   DAVID SCHILLING,

10   after being first duly sworn to tell the truth

11   testifies as follows:

12                  JUDGE VOSS:  Could you please state your

13   name and spell it for the record, please?

14                  MR. SCHILLING:  Please pardon the

15   technical difficulties.  My name is David Schilling,

16   D-A-V-I-D, S-C-H-I-L-L-I-N-G.  I reside at 1665 Calais

17   Court, Warson Woods.

18                  JUDGE VOSS:  Are you currently a

19   customer of AmerenUE?

20                  MR. SCHILLING:  Disheartedly.

21                  JUDGE VOSS:  Do you have a statement

22   you'd like to make?

23                  MR. SCHILLING:  Yes, ma'am.

24                  JUDGE VOSS:  Please proceed.

25                  MR. SCHILLING:  Not to be bragging that

1 many others suffered much more in the July storm, my  
2 house was out for three days. A tree came through the  
3 primary about two blocks away of a large limb. In the  
4 recent December storm, a small limb came through one  
5 wire. The house was again out for three days.

6 My main comment is, again, not vicious,  
7 but I did not in the least nor did our neighbors --  
8 there were at least 30 homes out for those three days.  
9 We did not blame the homeowners where these trees were.  
10 Limbs grow, winds blow, and in the case of December,  
11 ice can form after rain.

12 I'm affronted at the possibility of  
13 legislation being taken against or added to homeowners  
14 to clean up or widen the easement. We have not seen  
15 AmerenUE contractors come through our neighborhood. I  
16 have no exact memory of it. It should be 20, 25 years.  
17 So if you know how these trees will grow, it happens.

18 I think the point has been perfectly  
19 made, AmerenUE is behind this. In the earlier  
20 discussion here, it was pointed out that the word  
21 "urban sprawl" has been around for 30 years. A  
22 representative from UE wouldn't exactly admit to  
23 downsizing, but I think I heard her admit that they  
24 didn't exactly keep up with urban sprawl.

25 Certainly, AmerenUE doesn't wish to

1 admit many things it is behind. For those of us who  
2 understand business, I think their financial planners,  
3 their budgeting people have projected the costs of in  
4 the future getting caught up. It was well brought up  
5 about infrastructure, smart switches. It isn't all  
6 limbs, but it's costly.

7 My last complaint is: They want to pass  
8 this catch-up on to we the consumers, the taxpayers.  
9 We've pointed out that we have no other places to go.  
10 They have not suffered within financially. Were they  
11 not a functional monopoly, we'd be going somewhere else  
12 for our electric.

13 UNIDENTIFIED SPEAKERS: Yes. That's  
14 right.

15 (Applause.)

16 JUDGE VOSS: Any questions from any of  
17 the Commissioners?

18 MR. SCHILLING: One last -- the  
19 Taum Sauk, I will only add, for anyone here who's ever  
20 had an automobile accident, you notice how your  
21 insurance rates go up? And I also believe that  
22 catastrophic payment ran out. They've still got lots  
23 of projected lawsuits and payments for that.

24 So we, customers and taxpayers, look  
25 only to you. Your Commission is the only one that can



1 reign in AmerenUE. If you do not, this is like a  
2 psychological sounding board where you allow us to let  
3 off steam. We appreciate your correct help.

4 (Applause.)

5 JUDGE VOSS: Any questions from the  
6 Commissioners?

7 COMMISSIONER GAW: Thank you for coming  
8 today, Mr. Schilling. I want to make sure that it's  
9 clear to me what you're saying about the catch-up  
10 issue. Because I think what I heard you say was if  
11 Ameren is behind and they haven't been incurring  
12 expenses over the last several years; therefore,  
13 they've been potentially pocketing money in profits  
14 that should have been utilized for tree trimming and  
15 maintenance of the system. Am I following you?

16 MR. SCHILLING: You said it better than  
17 I can.

18 COMMISSIONER GAW: And, therefore, if  
19 that's the case, then why should you again pay for  
20 things in the future on catch-up when they should have  
21 already been in the rates in the past.

22 MR. SCHILLING: Correct.

23 COMMISSIONER GAW: Okay. I thought  
24 that's what you were saying, but I just wanted to  
25 clarify. Thank you.

1 (Applause.)

2 JUDGE VOSS: Any other questions? Thank  
3 you. Harold Cookson.

4 HAROLD COOKSON,  
5 after being first duly sworn to tell the truth  
6 testifies as follows:

7 JUDGE VOSS: Harold Cookson. Please  
8 state --

9 MR. COOKSON: I'm a little bit hoarse,  
10 so I'll try to speak up.

11 JUDGE VOSS: Could you please state your  
12 name and spell it, please?

13 MR. COOKSON: Harold Cookson,  
14 H-A-R-O-L-D, C-O-O-K-S-O-N.

15 JUDGE VOSS: And could you state your  
16 address, please?

17 MR. COOKSON: 12449 Roth Hill Drive,  
18 Maryland Heights.

19 JUDGE VOSS: And are you a customer of  
20 AmerenUE?

21 MR. COOKSON: Yes, ma'am, I am.

22 JUDGE VOSS: Do you have a statement  
23 that you'd like to give today?

24 MR. COOKSON: Yes, I do.

25 JUDGE VOSS: Please proceed.

1                   MR. COOKSON: Okay. What I want to talk  
2 about is AmerenUE -- and I know this is happening in my  
3 neighborhood. It's waste and the loss of earnings.  
4 There's one specific tree in my neighborhood -- it's  
5 about 100 feet from my house -- that has knocked the  
6 electric out 20 times in the last ten years.

7                   UNIDENTIFIED SPEAKER: Wow.

8                   MR. COOKSON: And every time anybody  
9 comes out, they go there and look at the problem, and  
10 they do nothing about it.

11                   The last time that the guy was there, I  
12 went up and I talked to him about it. And he drove  
13 around all over the neighborhood and then he come back.  
14 And he knew I was watching him, and he got his pole  
15 trimmer out and cut three or four limbs off, which done  
16 no good because there's two big limbs there that's  
17 rubbing these electric wires and they've been rubbing  
18 these electric wires for years. And you can see where  
19 they've rubbed them at.

20                   My lady friend, she lives on Schulte  
21 Hill Drive, and her electric was out six days and mine  
22 was out five days in the July storm, and all on account  
23 of this one tree. And there's no reason for it.

24                   It's one of these trees that they say  
25 they can't take out. But this tree is right on their

1 easement, right in the middle. There's a telephone  
2 pole right next to it. And there's no reason in the  
3 world that they can't take this tree out. And they  
4 could've cut these two limbs off ten years ago and they  
5 didn't do it. And I know this is a big waste, and it  
6 cost me some money and it cost my lady friend some  
7 money.

8 JUDGE VOSS: Are there any questions of  
9 the Commissioners?

10 COMMISSIONER CLAYTON: Judge, do you  
11 have his address?

12 JUDGE VOSS: I think so. Did you state  
13 your address for the record?

14 MR. COOKSON: Right. I did. Uh-huh.

15 COMMISSIONER MURRAY: Thank you. I just  
16 wondered, have you talked to anyone -- any member of  
17 the staff at the Public Service Commission?

18 MR. COOKSON: No, ma'am, I haven't. No.

19 COMMISSIONER MURRAY: Well, I think the  
20 other Commissioners have some questions for you.

21 COMMISSIONER APPLING: Harold, thank you  
22 for coming out.

23 MR. COOKSON: You're welcome. Very  
24 welcome.

25 COMMISSION APPLING: And your comments

1 will be taken serious here today.

2 MR. COOKSON: Okay.

3 COMMISSIONER APPLING: And I want you  
4 and everybody in this room to know that we live in the  
5 greatest country in the world. And I apologize to all  
6 of you for having to even be here today. We shouldn't  
7 be. So I really appreciate you coming out today, and  
8 we are listening to what you have to say. And thank  
9 you very much. We appreciate it.

10 MR. COOKSON: Thank you very much.

11 (Applause.)

12 COMMISSIONER GAW: The other address, is  
13 all right with -- would it be all right to read that  
14 into the record or do you wish not to?

15 MR. COOKSON: Oh, the other two  
16 addresses, I'll read them in there.

17 COMMISSIONER GAW: Would you mind?

18 MR. COOKSON: Okay. I sure will. This  
19 tree is located on Roth Hill Drive between 12423, 12437  
20 Roth Hill Drive. And they call this the Schulte Hill  
21 feeder line is where this tree is located at.

22 COMMISSIONER GAW: Mr. Cookson, if I --  
23 I want to go back to what you were saying about this  
24 problem. You believe that this tree -- limbs from this  
25 tree have caused outages around 20 times.

1                   MR. COOKSON: I sure do. Right.

2                   COMMISSIONER GAW: Now, when you look at  
3 the limbs on this tree relative to the lines themselves  
4 -- and I'm interested in this because -- not just  
5 because of this particular incident, but --

6                   MR. COOKSON: Right.

7                   COMMISSIONER GAW: -- but because of  
8 other similar tree trimming policies which we heard  
9 about last week --

10                  MR. COOKSON: Right.

11                  COMMISSIONER GAW: -- that I'm concerned  
12 about.

13                  MR. COOKSON: Yeah.

14                  COMMISSIONER GAW: Now, when you look at  
15 those limbs, are they over the lines? Are they close  
16 to the lines, the ones that you're concerned about?

17                  MR. COOKSON: Sorry. Like this here,  
18 when the wind blows, they actually rub like that.

19                  COMMISSIONER GAW: And these are bigger  
20 limbs?

21                  MR. COOKSON: These are bigger limbs,  
22 yeah. They're as big as my arm.

23                  COMMISSIONER GAW: So there's no  
24 question of what -- these limbs are in the easement,  
25 correct?

1                   MR. COOKSON: Right. They're absolutely  
2 in the easement.

3                   COMMISSIONER GAW: Do you know whether  
4 the tree itself is in the easement?

5                   MR. COOKSON: The tree itself is in the  
6 easement, because the telephone pole is right next to  
7 the tree.

8                   COMMISSIONER GAW: Yes, sir. And so as  
9 far as you can tell, the tree -- there is no  
10 restriction, at least from your vantage point, on why  
11 that tree hasn't been dealt with before this, correct?

12                  MR. COOKSON: Absolutely right.

13                  COMMISSIONER GAW: So all these  
14 discussions -- I'm hearing a lot of discussions about  
15 what do we got to do to get these people to do  
16 something about these trees and limbs that are outside  
17 the easement. This is an example of where there's a  
18 tree, in your opinion, it's in the easement --

19                  MR. COOKSON: It is.

20                  COMMISSIONER GAW: -- it's in the  
21 easement and nothing is being done.

22                  MR. COOKSON: That's right. Absolutely.  
23 And another thing -- may I ask a question?

24                  COMMISSIONER GAW: Well, you can go  
25 ahead and try to ask a question and we'll see whether

1 we can answer it. We're not supposed to take  
2 questions, though, ourselves.

3 MR. COOKSON: Okay. What I'm wondering  
4 is why something like this -- if these linemen does not  
5 make a report of this. If they did, I think somewhere  
6 along the line somebody would do something about it.

7 COMMISSIONER GAW: Would it surprise you  
8 if -- I can't answer your question, but your question  
9 is sort of rhetorical, so I understand that.

10 Would it surprise you to hear that last  
11 week when we were hearing testimony in Jefferson City  
12 about tree trimming policy, that Ameren -- at least to  
13 my recollection -- couldn't respond as to whether or  
14 not they knew -- the people that were there to testify  
15 knew where their easements were in this particular  
16 location; or whether or not they were clear about what  
17 it was that they were supposed to do on trimming back  
18 to the easement line.

19 It sounded to me like that issue had not  
20 been as vetted out as what I would've assumed it  
21 would've been before we get to discussing whether or  
22 not any additional permission outside of an easement.  
23 Would that surprise you?

24 MR. COOKSON: That wouldn't surprise me.  
25 But on my lot, there's X's in the back of my plot that



1 shows where there's an easement at.

2 COMMISSIONER GAW: So you can clearly  
3 see it?

4 MR. COOKSON: You can clearly see it.

5 COMMISSIONER GAW: Is that consistent  
6 with what you see in the neighborhood?

7 MR. COOKSON: That's right. Absolutely.

8 COMMISSIONER GAW: So it might vary --  
9 okay. Well, maybe some others that have some ideas  
10 about that will let me know.

11 MR. COOKSON: Okay.

12 COMMISSIONER CLAYTON: Mr. Cookson, I  
13 just wanted to ask, you've talked to folks, either tree  
14 -- contract tree trimmers or Ameren on at least several  
15 occasions over the last ten years, correct?

16 MR. COOKSON: Right. Well, two times I  
17 did.

18 COMMISSIONER CLAYTON: Two times. Well,  
19 did they give you reason why they're not cutting the  
20 trees?

21 MR. COOKSON: No.

22 COMMISSIONER CLAYTON: Just no response  
23 at all?

24 MR. COOKSON: Now, I've only talked to  
25 the linemen that come out for the specific problem.

1                   COMMISSIONER CLAYTON: How many days  
2   were you out in November?  
3                   MR. COOKSON: I wasn't out, period.  
4   None.  
5                   COMMISSIONER CLAYTON: None. Zero.  
6   Okay. Thank you.  
7                   MR. COOKSON: Yeah.  
8                   (Applause.)  
9                   JUDGE VOSS: I can't read this very  
10 well. Is it George Koss1?  
11                   MR. KOSSL: K-O-S-S-L, Koss1.  
12                   JUDGE VOSS: Koss1. Okay. Great.  
13                   GEORGE KOSSL,  
14 after being first duly sworn to tell the truth  
15 testifies as follows:  
16                   JUDGE VOSS: Can you please spell your  
17 name and state your address for the record?  
18                   MR. KOSSL: My name is George, K-O-S-S  
19 -- like Sam, Sam -- L, Koss1. My address is 11873  
20 Majella -- it's M-A-J -- like Jackson -- E-L-L-A,  
21 Bridgeton, Missouri 63044.  
22                   JUDGE VOSS: Are you currently a  
23 customer of AmerenUE?  
24                   MR. KOSSL: I'm afraid so.  
25                   JUDGE VOSS: Do you have a statement or

1 a comment that you'd like to make?

2 MR. KOSSL: I sure do.

3 JUDGE VOSS: Please proceed.

4 MR. KOSSL: Just to begin with, first of  
5 all, in regard to losing power, we tried to call UE --  
6 or Ameren. We got a recording and then we couldn't get  
7 through, period. In the last two storms -- the summer  
8 and the winter storm or the fall storm, if you can call  
9 it that way -- you couldn't even get through. Nobody  
10 ever answered the phone. And I was on the phone. I  
11 have a cell phone and I have a portable phone with  
12 speakers on it. And I had both of my phone on for over  
13 two hours, and nobody answered the call.

14 The other times, last summer when we  
15 were out of power, I called. A recording comes on  
16 finally and tells me 15 ZIP code that power is out. My  
17 ZIP code is not in there. I try again to see if they  
18 missed something. They tell me another 15 ZIP code the  
19 power is out. Mine is not on there. Now, I don't know  
20 who put these things on there.

21 Now, back to the power failure problem  
22 of it. I have some background in electricity. I've  
23 been a journeyman electrician for over 50 years. I've  
24 worked in high voltage and low voltage.

25 Now, while we're talking about easement

1     for high voltage, the standard in Missouri and  
2     St. Louis County, anyhow, you get five feet from your  
3     property line, either side. Now, if they can't get in  
4     within a foot and cut them trees out -- and I don't  
5     care how that tree is going to look like once they trim  
6     it out. That's their right. That's in their property.  
7     That's basically their property because I gave them  
8     permission to take that property. I can't keep them  
9     out of there.

10                     Now, the other part of it -- of this  
11     thing is, last summer the fuse blew out 7,200 volts.  
12     You see where it was. The linemen come out and they  
13     don't even know where's the thing. I had to show them  
14     where the power was. Then they said, Well, it's run up  
15     with vines -- the pole, the telephone pole. That's on  
16     their property. That's not there. They need to bring  
17     it up as of today.

18                     And I'm going to take picture of it and  
19     I'm going to send it to you people and show them where  
20     they still haven't cleaned it up. They have access to  
21     that, and I'm going -- this is the last five years, and  
22     more and more time power outage in my neighborhood.  
23     Well, maybe eight hours, maybe six hours.

24                     This last two time, with summer we had  
25     eight hours one time and we had another eight hours

1 with the ice. But I had to show the lineman at nine  
2 o'clock -- not the lineman -- a man was out there with  
3 a map in his hand and couldn't find where the poles  
4 were. He had a map in his hand. So I showed it to  
5 him.

6                   And I said -- and I had to flag him down  
7 because he was driving through there, my subdivision.  
8 And I said, By the way, I said, You better get your  
9 people out here because a tree is leaning on the high  
10 wire and it's smoking, burning, before I lose my power.  
11 One, that's three-phase, if I can use the word. It's  
12 three high voltage line, and one of them was already  
13 down.

14                   Finally, about 11:30 that night, they  
15 were there to cut the line down -- or tree down, but  
16 only those little limbs. And it's still basically --  
17 still within that zone which is their property. By the  
18 way, this company, the Ameren contracts, I believe --  
19 I'm quite maybe not correct -- but I think they are all  
20 from Ohio.

21                   I haven't seen them the last five years  
22 in my neighborhood, and I know there's a lot -- and I'm  
23 going to send some pictures on that thing. But they  
24 haven't been out in my neighborhood to trim the trees.  
25 And here they -- the people were still out of power,

1 here at the ice storm, and they were driving out of  
2 town. They were driving a big green truck. I believe  
3 they are from Ohio.

4 Since Ameren has bought out UE, UE don't  
5 have tree trimmers, which used to be once a year they'd  
6 come out and look at the lines and trim the trees.  
7 Haven't seen them for at least six years. I've been  
8 retired for seven and I haven't seen them. I used to  
9 see them once a year. I look out every day for a man  
10 working and I don't see them. Basically, that's all I  
11 can say.

12 JUDGE VOSS: Are there any questions?

13 COMMISSIONER CLAYTON: I just have one  
14 quick one. Mr. Kossel, you said that Ameren used to  
15 come and look at the lines.

16 MR. KOSSL: Yes, sir.

17 COMMISSIONER CLAYTON: How long ago was  
18 that?

19 MR. KOSSL: Before Ameren bought out UE.  
20 Since then I haven't seen anybody. This gentleman was  
21 looking for it because one of -- he had a print in his  
22 hand and was trying to orient himself after I whistled  
23 him down and I showed him where is the poles he was  
24 looking for. And I gave him permission -- because  
25 there was a fence over there -- because there's a

1 swimming pool in that yard. I showed him how to get to  
2 the pole.

3 COMMISSIONER CLAYTON: How many years  
4 have you been at your address?

5 MR. KOSSL: 36, I believe.

6 COMMISSIONER CLAYTON: 36 years?

7 MR. KOSSL: Yes, sir.

8 COMMISSIONER CLAYTON: Okay. Thank you  
9 very much.

10 JUDGE VOSS: Thank you very much.

11 MR. KOSSL: Thank you Public

12 Commissioner. Thank you.

13 (Applause.)

14 JUDGE VOSS: E.J. Littell. Is it  
15 L-I-T-T-E-L-L?

16 E.J. LITTELL,  
17 after being first duly sworn to tell the truth  
18 testifies as follows:

19 JUDGE VOSS: Could you please state and  
20 spell your name?

21 MR. LITTELL: E.J. Littell,  
22 L-I-T-T-E-L-L. That's 1506 Teson, T-E-S-O-N, Road,  
23 Hazelwood, 63042.

24 JUDGE VOSS: Are you a current customer  
25 of AmerenUE?

1 MR. LITTELL: Yes, ma'am.

2 JUDGE VOSS: Do you have a comment or a  
3 statement that you would like to make today?

4 MR. LITTELL: Yes, ma'am.

5 JUDGE VOSS: Please proceed.

6 MR. LITTELL: Everybody is talking about  
7 the tree trimming. Since Ameren took over Union  
8 Electric, their trim trimming has gone in the toilet.  
9 Excuse my language, but that's exactly where it has  
10 gone.

11 I live in farmland. I live on a about a  
12 mile long gravel road, cul-de-sac off the hard road.  
13 We've got trees that we had to bring an A9 CAT in and  
14 dig them up and then push them over. We've got one we  
15 can't move because the line runs right along the tree.  
16 And they've come out. They've put rubber tubes on  
17 them, the lines. We've asked them to take it down  
18 below the lines. We'll take it down.

19 I took seven out of my front yard  
20 because they grew into the lines. I tried to get a  
21 tree service to trim them. They came out at my  
22 expense, touched one of the lines, closed their shop  
23 up, took their trucks and went home, scared to death of  
24 the lines.

25 If you try to get Ameren to do anything,



1 it's like talking to the wall behind you. And they can  
2 say what they want. I've talked with line people.  
3 They've said for the past anywhere from 10 to 20 years  
4 anybody that's retired and has not been replaced, their  
5 line crews.

6                   We had a line crew a couple years ago  
7 come through and put in three-phase, and I know that  
8 you know what I mean. We've called and not only talked  
9 to supervisors at council meetings where the city is  
10 praising these people putting that line in on a  
11 two-lane road, country-like road. Do you think the  
12 people that did the job ever got told? Because I spoke  
13 with some of them.

14                   This is ridiculous. I wonder why they  
15 cannot get help. If they'd treat their help like  
16 people and stop worrying about the almighty dollar they  
17 could put in their pocketbook -- like 600,000 bonuses.

18                   And I lose mine periodically because  
19 I've got about an 80-foot cottonwood in the easement  
20 that drops limbs all the time. We've got another one  
21 out on the hard road that half of it is ate away. If  
22 it comes down, it's going to take their three-phase  
23 out. Do you think they care?

24                   I tried to talk to them over a  
25 situation. And if one of you would like to care to see

1     some photos I have in my pocket after this meeting,  
2     I'll show you. I can't get through to anybody. The  
3     ladies that answer the phone, and they get very nasty  
4     and very sarcastic. And I've even asked for  
5     Mr. Rainwater's secretary. I can't get to him. I  
6     can't get to her. They will not talk to you. And  
7     they're obnoxious. And it's a very poor way to run a  
8     large corporation. I don't know. They're not winning  
9     friends and they're not influencing people.

10                     I went out three years ago, bought a  
11     7,800 watt generator, and I could disconnect from Union  
12     Electric and plug it in anytime I care to. And if I  
13     had known back then what I know now, I'd have a lot  
14     bigger one, and UE could keep their electric. Thank  
15     you.

16                     (Applause.)

17                     JUDGE VOSS: I have a question. Are the  
18     photographs photos that you would like to be in the  
19     record? Because the Commission can't look at anything  
20     that's outside the scope of the record.

21                     MR. LITTELL: I'll show them to whoever  
22     would care to see them. And if they say so --

23                     JUDGE VOSS: Well, what I'm saying is --

24                     MR. LITTELL: This is a problem -- I  
25     ruined the blades on a 72-inch Kubota lawnmower that

1 cost \$12,000 because of UE, and could've ruined the  
2 lawnmower. And it's -- and 11 --

3 JUDGE VOSS: We can have the photos  
4 marked as exhibits.

5 MR. LITTELL: 11-17-06.

6 JUDGE VOSS: Well, if you don't mind  
7 parting with the photos, we can have the photos marked  
8 as exhibits and put into the record in this case, if  
9 you'd like.

10 MR. LITTELL: Well, I can get some more.  
11 They have haven't done a thing. They haven't touched  
12 it. And this was -- the last time I got to speak to  
13 one of their sarcastic ladies was the 17th. And if you  
14 want them, I'll have to explain one.

15 JUDGE VOSS: Okay. May I have them  
16 marked?

17 (WHEREIN, Hearing Exhibit Nos. 1 and 2  
18 were marked for identification.)

19 JUDGE VOSS: She'll mark them.

20 MR. LITTELL: Okay. This is my wife's  
21 hand, and this is the anchor. So you're going to have  
22 to pay attention or you won't understand what this one  
23 is. But this one you will.

24 JUDGE VOSS: I'll mark them Exhibits 1  
25 through --

1                   MR. LITTELL: They used six anchors for  
2 two wires and left the four sitting there. And one is  
3 low enough, I run that lawnmower over it. I don't  
4 appreciate it. All right. Here's an anchor. And if  
5 you see -- if you follow down the ruler, the little  
6 white thing, that's the one I run the lawnmower -- and  
7 here's the other two. And -- yeah. I did. I put the  
8 address where it happened. It's a widow lady, neighbor  
9 of mine. I was mulching her leaves.

10                  JUDGE VOSS: Actually, why don't we go  
11 ahead and take a break.

12                  (WHEREIN, a short recess was taken.)

13                  JUDGE VOSS: Harold Wall.

14                  MR. WALL: Can you see me?

15                  JUDGE VOSS: I can see you.

16                  MR. HALL: Some speakers always ask if  
17 you can hear them, but I always have to ask can you see  
18 me.

19                  JUDGE VOSS: I can see and hear you.  
20 Okay.

21                  HAROLD WALL,  
22 after being first duly sworn to tell the truth  
23 testifies as follows:

24                  JUDGE VOSS: Could you please spell your  
25 name?

1                   MR. WALL:  Harold, H-A-R-O-L-D, Wall,  
2   W-A-L-L.

3                   JUDGE VOSS:  Could you please state your  
4   address?

5                   MR. WALL:  12929 Portulaca Drive, Unit  
6   No. 211, that's St. Louis, 63146.

7                   JUDGE VOSS:  Are you currently a  
8   customer of AmerenUE?

9                   MR. WALL:  Yes, I am.

10                  JUDGE VOSS:  Are there any comments or  
11   statements you'd like to make for the record?

12                  MR. WALL:  Yes.

13                  JUDGE VOSS:  Please proceed.

14                  MR. WALL:  Some of these will not be in  
15   keeping with my friends behind me.  First of all, at my  
16   present rate, I'm very content, personally.  I  
17   understand and have followed this a little bit.

18   AmerenUE has been able to maintain a 5 percent return  
19   on stockholders' investment, which I think is fair.

20                  I am concerned that if we have too much  
21   increase in the rate, business and industry will be  
22   greatly affected in the future.  I'm concerned about --  
23   when it comes to the great -- the extreme amount of  
24   difference between commission and the firm.  They're  
25   both my servants.  And when my two servants can't agree

1 by that much, it's of concern.

2 The other thing that I need to address,  
3 I feel, is the fuel adjustment clause. I realize  
4 there's been some legislation. I feel it might be  
5 dangerous. Why would a utility company seek the best  
6 fuel rate if they can automatically pick up the money?

7 Far more of a problem, in my mind, is  
8 the environmental cost recovery part of that.  
9 Currently, I believe Union Electric leads other  
10 utilities in this nation in the amount of pollution  
11 credits that it has purchased. I would think down the  
12 line when those have expired, they might have to extend  
13 a lot of funds for the environmental protection.

14 I'm a little worried that with that  
15 clause we may, as rate payers, pick up a lot of the  
16 cost. Technically we shouldn't, and maybe we won't.  
17 But I'm worried that we will somehow pick up the cost  
18 of equipment that the stockholders should provide.

19 The third point, you'll notice I've  
20 avoided anything about outages. I would say this: If  
21 it's necessary for that utility to have a rate increase  
22 to improve the service that we've heard so much about  
23 today, then some should be forthcoming.

24 Finally, I personally would like to tell  
25 the Commission that I appreciate the fact that they and

1 Union Electric, as it was once, did not get us into the  
2 complications that our neighbors in Illinois are now  
3 suffering. In an effort to try to invite competition,  
4 they are in a mess right now. That's all I think I  
5 have.

6 JUDGE VOSS: Are there any questions?

7 COMMISSIONER MURRAY: I'd just like to  
8 thank you. Obviously, you read a lot and you know a  
9 lot about what you're speaking of. And thank you for  
10 being here.

11 MR. WALL: I know I'm not telling you  
12 folks something you don't know. But just so you know  
13 that a rate payer has those thoughts.

14 COMMISSIONER APPLING: You know, it's  
15 good that you come out and demonstrate to us and the  
16 rest of the people that you do have some idea of both  
17 sides of the street here. Thank you very much for  
18 coming.

19 MR. WALL: You're very welcome.

20 COMMISSIONER CLAYTON: Mr. Wall.

21 MR. WALL: Yes.

22 COMMISSIONER CLAYTON: How many -- were  
23 you out of power in July?

24 MR. WALL: Yes.

25 COMMISSIONER CLAYTON: How many days?

1     How much time?

2                     MR. WALL:  I believe two days.

3                     COMMISSIONER CLAYTON:  And how about

4     November/December for the ice storm?

5                     MR. WALL:  Less than one day.

6                     COMMISSIONER CLAYTON:  Less than a day.

7     Thank you.

8                     MR. WALL:  That's one of the reasons I

9     don't complain.

10                    JUDGE VOSS:  Just one second, please.  I

11    think Mr. Gaw has a --

12                    COMMISSIONER GAW:  Sorry.  That's okay.

13    I --

14                    JUDGE VOSS:  Thank you.

15                    COMMISSIONER GAW:  That's okay.

16                    JUDGE VOSS:  Next, Steve Johnson.

17                    STEVE JOHNSON,

18    after being first duly sworn to tell the truth

19    testifies as follows:

20                    JUDGE VOSS:  Could you please state and

21    spell your name?

22                    MR. JOHNSON:  My name is Steven Johnson,

23    S-T-E-V-E-N, J-O-H-N-S-O-N.  And I deny any

24    relationship to Mr. Johnson from Fenton.

25                    JUDGE VOSS:  Could you state your



1 address, please?

2 MR. JOHNSON: 1933 Burlewood Drive.

3 JUDGE VOSS: Are you a current customer  
4 of AmerenUE?

5 MR. JOHNSON: I am.

6 JUDGE VOSS: Do you have any statements  
7 or comments that you'd like to give today?

8 MR. JOHNSON: I do.

9 JUDGE VOSS: Please proceed.

10 MR. JOHNSON: I am extremely  
11 dissatisfied with the maintenance of the infrastructure  
12 that they're doing, and I can concur with Senator  
13 Green's comments completely. I think the fact that  
14 they have been doing a poor job has led to increased  
15 expenses. You know, we've had emergency service come  
16 in to make up for the things that they should've been  
17 doing at a reasonable time and place.

18 And I just want to point out that there  
19 are two instances that are existing right now that I  
20 consider to be potential problems. I work in Jennings.  
21 And on Jennings Station Road, on the east side, about  
22 I'd say 400 yards north of Highway 70, there has been a  
23 huge oak tree that has been improperly trimmed.

24 As a result of the improper trimming,  
25 this tree will fall. It's leaning over a little bit

1 more each month, and it will fall down. And when it  
2 goes, it looks to me like it is going to take the power  
3 lines with it in that area. That's one problem.

4                   The second problem we have is between  
5 Burlewood and Pickfair. There are power lines running  
6 up the hill. Those power lines, the poles are decayed  
7 and pretty well obviously splitting and in trouble.  
8 They are leaning over at about a 15 to 20 percent angle  
9 at this point. The lines on the tree -- or the poles  
10 are stretched tight. I kid that you could play a song  
11 on them, and they're as tight as they can be. They're  
12 waiting for a good ice storm.

13                   If there's an ice storm, when the poles  
14 go down -- and the poles could well go down -- how long  
15 will it take them to restore service? Will it put  
16 lives in jeopardy? How much will it cost to replace at  
17 that time? So those are the things that I was  
18 concerned about.

19                   I have a few other gripes with AmerenUE,  
20 but I'll write those on a piece of paper and get those  
21 to you.

22                   JUDGE VOSS: Any questions?

23                   COMMISSIONER GAW: Just really quickly.

24 Mr. Johnson, from the standpoint of communication with  
25 AmerenUE, have you had any experience there?

1                   MR. JOHNSON: I contacted UE several  
2 years ago about the lines. I don't remember -- I don't  
3 think I even received a response back.

4                   COMMISSIONER GAW: And this -- and when  
5 you say "about the lines," are you talking about the  
6 lines that you're discussing with us today?

7                   MR. JOHNSON: The telephone pole lines,  
8 yeah. I think our neighbor has also contacted them.

9                   COMMISSIONER GAW: And to your  
10 knowledge, did he receive any response?

11                  MR. JOHNSON: As far as I know, no.

12                  COMMISSIONER GAW: Thank you, sir.

13                  MR. JOHNSON: Okay.

14                  COMMISSIONER GAW: Thank you for coming.

15                  MR. JOHNSON: Thank you.

16                  JUDGE VOSS: Thank you. Rena -- is it  
17 Grabel?

18                  MS. GRABEL: Grabel.

19                  JUDGE VOSS: Grabel.

20                  MS. GRABEL: Like Betty Grabel.

21                  JUDGE VOSS: Betty Grabel.

22                               RENA GRABEL,  
23 after being first duly sworn to tell the truth  
24 testifies as follows:

25                  JUDGE VOSS: Could you please state and

1 spell your name for the record?

2 MS. GRABEL: Rena Grabel, that's  
3 R-E-N-A, Grabel, G-R-A-"B" as in boy -- E-L.

4 JUDGE VOSS: What is your street  
5 address?

6 MS. GRABEL: I live at 10949 North  
7 Warson Road, that's W-A-R-S-O-N, St. Louis, Missouri  
8 63114. It's unincorporated St. Louis County.

9 JUDGE VOSS: Are you currently a  
10 customer of AmerenUE?

11 MS. GRABEL: I wish I weren't, but I am.

12 JUDGE VOSS: Do you have a statement or  
13 comments that you would like to make for the record?

14 MS. GRABEL: Yes. Every time we have an  
15 outage I do write AmerenUE, just to memorialize the  
16 situation. Back on September the 9th of 2005, we lost  
17 electricity. At that time, we had a generator.

18 Gasoline was \$1.90 a gallon, and we were able to run  
19 our generator to keep our three refrigerators running.

20 In 2006, it was September the 14th when  
21 we lost our electricity for five days. At that time,  
22 gasoline was close to \$3 a gallon, and we chose to  
23 throw away our food rather than to run a generator for  
24 four or five days at \$3 a gallon.

25 So what I'm getting at is this latest

1 occurrence back in November -- towards the end of  
2 November, early December. I did not lose electricity,  
3 but I had some flickering that went on. It flickered,  
4 and then it went out. Then it flickered and came back  
5 on.

6                   What happened is because of those power  
7 surges, it blew my computer. It blew the hard drive in  
8 my computer. We took it down to Best Buy and we had  
9 their computer department look at our unit, and he says  
10 the hard drive is blown. You can't do anything. I  
11 rely on my computer to do -- memorialize these things  
12 because I do write my congressmen. I write the Public  
13 Service Commission as well as the CEO of AmerenUE when  
14 these things occur.

15                   Well, \$718 later, we replaced the  
16 computer. I rely on that. Yeah, I can sit down and  
17 write a handwritten letter, but these three fingers are  
18 paralyzed and I cannot use a pen. And I am  
19 right-handed. So my husband made sure I got a  
20 computer. And I'm going go home and I'm going to write  
21 this down and mail it off to the proper authorities or  
22 companies, whatever. But I am thinking about suing  
23 AmerenUE in small claims court to recuperate this.

24                   My husband makes \$35,000 a year. He got  
25 for a Christmas bonus \$150. I am disabled and I do

1 collect Social Security. But anybody who's ever  
2 collected it is not a wealthy person. And I have to  
3 make decisions on an everyday basis as to what bills to  
4 pay, what groceries to buy, and so on, on an everyday  
5 basis.

6 \$718 to me is a fortune, much less this  
7 computer was only three years old. We just got  
8 finished paying it off when this happened. And I think  
9 that AmerenUE needs to be held accountable for these  
10 losses because I cannot declare it on my homeowner's  
11 insurance because my deductible is \$1,000.

12 And as far as the loss of food, I did  
13 write my state representative, Barbara Frazier. I  
14 wrote her back in September, and I suggested that in a  
15 hurricane situation, they give you vouchers.

16 Why can't the State of Missouri give  
17 these people who have lost a lot in food and so on  
18 vouchers, and then have the State of Missouri take  
19 these -- the vouchers that they've issued and bill  
20 AmerenUE? In other words, if you're going to hit a  
21 company, hit him hard in the pocketbook, then they'll  
22 pay attention. And that's my feelings on the subject.

23 JUDGE VOSS: Yes. Are there any  
24 questions?

25 COMMISSIONER GAW: Ms. Grabel, do we

1 have copies of your letters? I'll ask the judge.

2 Do we have copies of the letters that  
3 she has sent in, in the record in this case?

4 MS. GRABEL: I have copies of them at  
5 home. And I can go ahead and fax it to you if you  
6 like.

7 JUDGE VOSS: I have an idea. Why don't  
8 you pick up one of the forms at the back of the room  
9 that --

10 MS. GRABEL: I've already -- I've got  
11 them.

12 JUDGE VOSS: Fax that as part of your  
13 comments.

14 MS. GRABEL: Right. And I did make that  
15 recommendation. Unfortunately, Representative Frazier,  
16 her term ended at the end of this year and a new  
17 congressman -- new representative will be starting this  
18 month. So it looks like I have to start the ball of  
19 wax all over again. But anyway, this is how important  
20 these things are. I do a lot of the letter writing  
21 just to memorialize the situation. That's why I know  
22 the dates so vividly in my mind.

23 COMMISSIONER GAW: Thank you very much.

24 MS. GRABEL: You're very welcome.

25 JUDGE VOSS: Any other questions? Thank

1     you very much.

2                     Ethel, H-U-E-L-S -- is she here? Ethel?

3     It looks like Huelsburgh. All right. She may have had

4     to leave.

5                     Okay. Donna Schenewerk.

6                     MS. SCHENEWERK: Schenewerk.

7                     JUDGE VOSS: Schenewerk. Beautiful

8     handwriting.

9                     MS. SCHENEWERK: Thanks.

10                    DONNA SCHENEWERK,

11     after being first duly sworn to tell the truth

12     testifies as follows:

13                    JUDGE VOSS: Could you please state and

14     spell your name?

15                    MS. SCHENEWERK: Donna, D-O-N-N-A,

16     Schenewerk, S-C-H-E-N-E-W-E-R-K.

17                    JUDGE VOSS: And what is your address,

18     please?

19                    MS. SCHENEWERK: 979 Loekes Drive,

20     Florissant, Missouri.

21                    JUDGE VOSS: Are you currently a

22     customer of AmerenUE?

23                    MS. SCHENEWERK: Yes, I am. I don't

24     have a lot of choice in the matter.

25                    JUDGE VOSS: Do you have a statement



1     you'd like to make today?

2                     MS. SCHENEWERK:   Yes, I do.

3                     JUDGE VOSS:   Please proceed.

4                     MS. SCHENEWERK:   Thank you very much.

5     First of all, thank you for your time and the  
6     opportunity to address you.

7                     First of all, I would like to say that I  
8     agree and concur with the comments of Senator Green and  
9     also Mr. -- I think it was Caramanna wholeheartedly.  
10    And I won't go over the items that they went over.

11                    Secondly, I would like to request in the  
12    future we have other occasions to have such meetings  
13    before your group.   Would you consider actually holding  
14    one in North County?

15                    I know the mayor of the City of  
16    Florissant would be more than happy to supply you with  
17    space at the Civic Center who -- you know, that would  
18    definitely accommodate anyone who showed up.   And I can  
19    guarantee you you'd have four times the people there  
20    from Florissant and North County that's here today.  
21    Okay.

22                    And, thirdly, I'd like to say that from  
23    the comments that I've received from some of my friends  
24    and neighbors in Florissant that many of us do feel  
25    that we are being treated like red-headed stepchildren

1 in North County. We're the first ones to go out, last  
2 ones to come back online.

3 Last summer, I was out nearly 11 days.  
4 In the wintertime, just this past month, we were out  
5 seven days. Thank God we had a fireplace. I spent a  
6 small fortune -- which is incidental, but I understand  
7 it's just part of keeping alive -- to keep myself, my  
8 husband, my two daughters, my three grandchildren and  
9 four German Shepherds alive.

10 And -- well, my daughter had lost her  
11 power. She lives in Florissant also. So they had  
12 nothing to keep them warm. It was below freezing at  
13 her house. They had to come to our house. So that's  
14 how we lived, in front of the fireplace. And with the  
15 help of a little fondue pot that we heated soup and  
16 cocoa and coffee in, that's how we stayed alive.

17 And -- but, you know, I do agree with  
18 everyone who has commented about Union -- I should say  
19 AmerenEU's failure to maintain their lines and their  
20 easement, sight lines to the wires.

21 I've lived in my home for almost 30  
22 years, and the last time I saw anyone there to trim any  
23 trees around our house was probably 25 years ago.  
24 That's a long time. A long time to be ignored. And  
25 so, therefore -- and as far as -- I have had occasion

1 to call UE's, quote/unquote, customer service  
2 department. And I submit to them they should rename  
3 that place. It should be called customer no-service,  
4 because that's basically what you get from them.

5 I've had my turn with rude people. I've  
6 had people hang up on me. I've called back and gotten  
7 someone else. And, of course, all that does is, you  
8 know, cause further problems in your attempt to  
9 communicate, because by that time you're extremely  
10 frustrated and insulted. So, you know, it's -- we  
11 don't deserve to be treated that way. We just don't.  
12 And that's basically the sum and substance of my  
13 comments today.

14 JUDGE VOSS: Any questions?

15 COMMISSIONER CLAYTON: I just wanted to  
16 add that I think we're going to be in North County next  
17 week having a hearing. Is that not right?

18 UNIDENTIFIED SPEAKER: No.

19 COMMISSIONER CLAYTON: Are we going to  
20 be at UMSL?

21 UNIDENTIFIED SPEAKER: UMSL is not in  
22 North County.

23 COMMISSIONER CLAYTON: It's not North  
24 County?

25 UNIDENTIFIED SPEAKER: No, sir.

1 COMMISSIONER CLAYTON: Is it North City?

2 UNIDENTIFIED SPEAKER: North City, yes.  
3 Kingshighway.

4 COMMISSIONER CLAYTON: Where else are we  
5 going to be? There's another place within North  
6 County. You're dealing with someone from Hannibal, so  
7 I'm struggling with the geography. But there are other  
8 locations where we will be.

9 UNIDENTIFIED SPEAKER: We're going to be  
10 in North Kingshighway this afternoon, maybe.

11 COMMISSIONER CLAYTON: That's fine.

12 CHAIRMAN DAVIS: We have a joint hearing  
13 in Columbia, a joint hearing in Dexter, a hearing  
14 January the 8th at St. Louis University.

15 JUDGE VOSS: There's a hearing --  
16 there's two hearings going on today and next Monday.  
17 There's one in -- at UMSL in the evening. And during  
18 the afternoon, there is one at Forest Park, the  
19 community college at Forest Park. There are four in  
20 the area. We tried to spread them around.

21 UNIDENTIFIED SPEAKER: That's a city.  
22 Forest Park is a city.

23 MS. SCHENEWERK: Yeah. I myself  
24 personally would go to either one of those locations.  
25 But, you know, the older ones in my neighborhood call

1 me a youngster. Okay. So, you know, and they won't go  
2 after dark because some of them having driving  
3 limitations. So that was the main reason I was  
4 suggesting a more localized North County location, such  
5 as Florissant.

6 JUDGE VOSS: We will definitely, I'm  
7 sure, try in future hearings to spread it around even a  
8 little more. You might consider, also, taking some of  
9 the flyers in the back and allowing your friends and  
10 neighbors to file the written complaints.

11 MS. SCHENEWERK: I was going to ask the  
12 lady at the desk if I could. Yes.

13 JUDGE VOSS: Yes.

14 MS. SCHENEWERK: Okay. Thank you very  
15 much.

16 JUDGE VOSS: Are there any other  
17 questions?

18 COMMISSIONER GAW: Just real quickly.  
19 On the tree trimming issue --

20 MS. SCHENEWERK: Yes.

21 COMMISSIONER GAW: -- you said you  
22 hadn't seen anybody out there for 25 years; is that  
23 right?

24 MS. SCHENEWERK: That's correct. We  
25 have a park that backs onto the back line of our

1 properties, and it used to be rimmed with trees. And  
2 there was a storm several years ago that took down the  
3 last tree back there. And they used to come around  
4 occasionally, before it was Ameren, to trim that thing.  
5 And then pretty soon, they just didn't show up anymore.

6 COMMISSIONER GAW: And it's along the  
7 line, I assume?

8 MS. SCHENEWERK: Right. It's on the --  
9 well, actually it was in the park.

10 COMMISSIONER GAW: In the park?

11 MS. SCHENEWERK: Yeah. Just -- I guess  
12 probably the easement line where the park begins and  
13 the easement ends kind of went down the middle of the  
14 tree.

15 COMMISSIONER GAW: All right.

16 MS. SCHENEWERK: But a storm took it  
17 down. One by one, the trees back there were taken down  
18 by the storms.

19 COMMISSIONER GAW: I see. But you have  
20 not seen tree trimmers --

21 MS. SCHENEWERK: No.

22 COMMISSIONER GAW: -- in that  
23 neighborhood?

24 MS. SCHENEWERK: No, sir. No, sir.

25 COMMISSIONER GAW: Thank you very much

1 for your time.

2 MS. SCHENEWERK: You're welcome. Thank

3 you again.

4 JUDGE VOSS: Are there any other

5 questions? Thank you.

6 Let's see, is it Michael -- is it Tyree?

7 MR. TYREE: Very good.

8 MICHAEL TYREE

9 after being first duly sworn to tell the truth

10 testifies as follows:

11 JUDGE VOSS: Could you please spell your

12 name for the record?

13 MR. TYREE: Michael, common spelling,

14 Tyree, T-Y-R-E-E. My address is 1001 Loekes,

15 L-O-E-K-E-S, 63031, Florissant, Missouri.

16 JUDGE VOSS: Are you currently a

17 customer of AmerenUE?

18 MR. TYREE: God, yes.

19 JUDGE VOSS: Do you have any statements

20 or comments you'd like to make today?

21 MR. TYREE: Yes, ma'am.

22 JUDGE VOSS: Please proceed.

23 MR. TYREE: First of all, I'd like to

24 reaffirm Mr. Green's -- Senator Green -- I agree with

25 him, absolutely. Now -- and my esteemed neighbor,

1 Ms. Schenewerk, I agree with her comments as well. And  
2 I'd like to -- for the members, I know you-all have  
3 seen these newspapers.

4                   Stock indexes showed best annual gains  
5 since 2003. And if you're not aware of it, Ameren is  
6 here, and they close at 53.73. They lost 26 cents that  
7 day. This was the Friday's close. Their year-to-date  
8 change is plus 48.3 percent. So they're at 55.24, and  
9 they're paying their shareholders \$2.54 on dividends.

10                   You know, as far as a rate increase, I  
11 really don't think they need one. They have plenty of  
12 money. As far as the infrastructure, ladies and  
13 gentlemen, AmerenUE, the Commission, I look at my  
14 basement and I have 21st Century equipment in my  
15 basement. When I look out in the backyard, I see 19th  
16 Century infrastructure.

17                   The poles that I have in my backyard  
18 right now are 50 -- are probably 55 or 60 years old.  
19 And they are leaning towards my home. There is a  
20 broken pole that remains from this past power outage  
21 several hundred yards in the back side of the park. It  
22 is currently being held up with a piece of rope that  
23 someone from Ameren put on there and drove it into the  
24 ground.

25                   My poor neighbor doesn't know about



1 that. She would've been upset if I had told her. But  
2 I also have a dog. I'm a dog trainer, and I help train  
3 German Shepherds. But I walk my dog and I see these  
4 things. And that's really about all I have to say.  
5 Thank you to the Commission.

6 JUDGE VOSS: Are there any questions?  
7 Thank you very much.

8 COMMISSIONER GAW: What did you mean by  
9 the pole being held up by a rope? Can you give us a  
10 little more description?

11 MR. TYREE: During that last power  
12 outage, that pole broke and caused the entire line to  
13 be out.

14 COMMISSIONER GAW: Okay.

15 MR. TYREE: The tree did not take the  
16 pole down. The tree took the homeowner's wire down,  
17 which took the pole down.

18 COMMISSIONER GAW: All right.

19 MR. TYREE: It didn't take it down. It  
20 broke it. It's leaning. When the repair crews came  
21 through from out of state, they drove some pieces of  
22 telephone pole to help support the pole that was  
23 broken.

24 Now, just this past week, the rope was  
25 actually added to it to help keep the pole up, instead

1 of replacing the pole. So 11, 12, 13 days total, I was  
2 without power, so...

3 COMMISSIONER GAW: Thank you very much,  
4 sir.

5 JUDGE VOSS: Thank you. Judith Barnett.

6 JUDITH BARNETT,  
7 after being first duly sworn to tell the truth  
8 testifies as follows:

9 JUDGE VOSS: Could you please state your  
10 name and spell it for the record?

11 MS. BARNETT: My name is Judy, J-U-D-Y,  
12 Barnett, B-A-R-N-E-T-T. I'm actually here on behalf of  
13 the City of Maryland Heights.

14 JUDGE VOSS: Is it in Maryland Heights?

15 MS. BARNETT: Yes. I'm at 12270 Spring  
16 Shadow Court, Maryland Heights, 63043.

17 JUDGE VOSS: And are you currently a  
18 customer of AmerenUE?

19 MS. BARNETT: Personally, and the City  
20 is as well.

21 JUDGE VOSS: Thank you. Do you have a  
22 statement or comments that you would like to make?

23 MS. BARNETT: Yes. I'm here -- and I do  
24 want to thank -- being a public official, I am on the  
25 City Council. And being a public official, I

1 appreciate all that you are -- that all of you are here  
2 and that are you listening to the people.

3 I'm representing the mayor,  
4 Mayor Michael Moeller, and the eight other -- seven  
5 council members, me being the eighth, of the City of  
6 Maryland Heights. And I have a letter that I wrote  
7 that I'll read and pass to the court clerk.

8 We are writing as elected  
9 representatives of the City of Maryland Heights on  
10 behalf of our 27,600 residents and 1,600 businesses to  
11 express our deep concern regarding AmerenUE's response  
12 to the November 30 through December 1, 2006 winter  
13 storm that left thousands of people without power for  
14 days.

15 The latest storm, combined with the  
16 significant power outages following the violent  
17 thunderstorms our region experienced last summer, have  
18 heightened our concern, not only in regards to the  
19 immediate follow-up to these weather-related  
20 emergencies by AmerenUE, but also with respect to the  
21 more serious concern about the utility's long-term  
22 failure to provide regular tree trimming and system  
23 maintenance that would have lessened the impact of  
24 these storms on our community.

25 We realize that major storms tax the

1 ability of everyone to quickly recover service and to  
2 return to normal. However, our perception -- shared by  
3 residents, business owners, and community leaders alike  
4 -- is that AmerenUE has failed to act sufficiently on  
5 an ongoing basis in a manner that would mitigate the  
6 disruption of vital electric service.

7                   We strongly urge the Public Service  
8 Commission to utilize your regulatory power to  
9 influence and bring about change in AmerenUE's tree  
10 trimming and maintenance program. A more aggressive,  
11 consistent and thorough maintenance program would halt,  
12 or at least greatly reduce, the power outages caused by  
13 overgrown limbs damaging power lines.

14                   Further, a number of residents have  
15 brought to our attention their concerns, which we  
16 share, about regularly occurring power outages  
17 resulting from minor storms as well as electric  
18 failures that seem to have no discernible cause. We  
19 can only attribute this to AmerenUE's lack of  
20 maintenance of its infrastructure.

21                   Again, we urge you to exercise your  
22 influence in enforcing the utility company's obligation  
23 to ensure consistent and efficient service to our  
24 community, whether it be through improved maintenance  
25 or greater investment in new technology and the

1 replacement of aging equipment.

2                   Finally -- and I think this is something  
3   that is a relatively new point.

4                               Finally, we want to encourage AmerenUE  
5   to review its website to make it less cumbersome and  
6   difficult to navigate in order that customers can  
7   report incorrect service problems, whether occurring  
8   after storms or in the normal course of life. By  
9   improving its overall day-to-day communication efforts,  
10  we believe AmerenUE can avoid difficulties in  
11  responding to the public during crisis situations.

Maryland Heights stands ready to do all we can to assist AmerenUE in communicating to our citizens, their customers, helpful information that will bring about better service delivery, reduce public frustration and educate consumers on the best manner to address problems that arise.

Our city circulates a monthly newsletter in all households and businesses as well as operates a website and government-access cable television channel. We are happy to put these resources to good use so as to make sure the public's electrical needs are met during the normal course of life as well as during times of crisis.

25 Thank you for your consideration and for

1 the opportunity to provide input and express our  
2 sincere and urgent concerns about the power outages and  
3 service problems that have plagued our community in  
4 recent months. We look forward to your speedy action  
5 in bringing about change and improvement in AmerenUE's  
6 tree trimming and maintenance program and its overall  
7 service delivery and communication efforts.

8 JUDGE VOSS: Thank you. Are there any  
9 questions? Any questions?

10 COMMISSIONER GAW: Well, I just wanted  
11 to say thank you very much for coming, Councilwoman,  
12 and thank you for bringing that statement.

13 MS. BARNETT: And I will give this to  
14 the court clerk.

15 JUDGE VOSS: You read it into the  
16 record; is that correct? Did you read --

17 MS. BARNETT: Yeah. Yeah.

18 COMMISSIONER GAW: It would be good to  
19 have it in the record.

20 JUDGE VOSS: Okay.

21 MS. BARNETT: Okay. Thank you very  
22 much.

23 JUDGE VOSS: That will be Exhibit 3.

24 (WHEREIN, Hearing Exhibit No. 3 was  
25 marked for identification.)

1 JUDGE VOSS: Shirley -- is it H-A-I-L?  
2 She'll be filing a written complaint now. Okay. Is it  
3 -- or comment. Is it Jane Miller?

4 MS. MILLER: Yes. Here.

5 JANE MILLER,  
6 after being first duly sworn to tell the truth,  
7 testifies as follows:

8 MS. MILLER: I live at 10 Woods Hill  
9 Drive, Town and Country, Missouri 63017.

10 JUDGE VOSS: Could you please spell your  
11 name for the record as well?

12 MS. MILLER: Jane, common spelling,  
13 Miller, M-I-L-L-E-R.

14 JUDGE VOSS: Are you currently a  
15 customer of AmerenUE?

16 MS. MILLER: Yes.

17 JUDGE VOSS: Do you have a statement or  
18 comments that you would like to make?

19 MS. MILLER: Yes.

20 JUDGE VOSS: Please proceed.

21 MS. MILLER: We have lived in our home  
22 for approximately 20 years. And when it was UE, we had  
23 people out tree trimming on the easement probably every  
24 two years, on average. And we could tell that they  
25 were there because you could visibly see changes. Many

1 times we saw them trimming, but if we didn't see them  
2 trimming, you could tell that they had trimmed. Since  
3 it became Ameren, we have not seen any evidence of any  
4 trimming on the property.

5                   There have been some suggestions made in  
6 the press that perhaps homeowners should be responsible  
7 for trimming their trees on their property. And there  
8 are a number of issues, I believe, that are with this  
9 that I want to raise and have in the record in case it  
10 should come up again.

11                   One is the costs associated with  
12 individual homeowners going out and acquiring the  
13 services. AmerenUE has tremendous purchasing power  
14 because of their size that they can use to leverage and  
15 get very good rates. And I believe most of the times  
16 when UE had come and trimmed, they were outsourcing the  
17 actual trimming. But they did have this purchasing  
18 power.

19                   In addition, because the easement goes  
20 down on the street -- and we're at the end -- and there  
21 are trees on the easement all the way down the street,  
22 there were efficiencies in doing them all at one time,  
23 whereas we as an individual homeowner would not have  
24 that efficiency.

25                   Also, there's access to the easement.



1 And in certain areas on our street, the easement is  
2 much easier and the costs associated with getting to  
3 those trees is less if the approach is not from our  
4 street but from the street behind us. So there is an  
5 additional cost if I were to acquire the services  
6 myself because of the difficulty in getting to the back  
7 of the property, because on our side it's all wooded.

8                   Finally -- and we did do some trimming  
9 recently. But, finally, even though I trim and am  
10 taking care of everything, we're at the end of the  
11 line. And if all the other neighbors, including the  
12 people behind there are not trimming, then it's only as  
13 good as the weakest link.

14                   I would like some clarification at some  
15 point regarding dead trees that are on the easement.  
16 And I think that the policy needs to be clear and  
17 communicated to all property owners so that we know  
18 exactly what our steps are. We recently had a very  
19 large tree taken down at a cost in excess of \$1,000  
20 that was dead on Ameren's easement. I had called them  
21 and they said it was our responsibility. So it's down.  
22 But there seems to -- in listening to what's taken  
23 place here, some confusion as to whose responsibility  
24 that is.

25                   And, finally, the one thing that seems

1 to be missing when I read accounts of what is occurring  
2 in the newspaper in terms of this proposal for a rate  
3 increase is the lack of comparison of financials of UE  
4 and returns -- the proposed return that they're asking  
5 for and what the Public Service Commission is proposing  
6 -- in terms of comparisons to like utilities in other  
7 states and what their returns are.

8 And I think that would be very helpful  
9 to those of us that are trying to assess whether the  
10 return that AmerenUE is now asking for is reasonable or  
11 not. Thank you very much.

12 JUDGE VOSS: Are there any questions?  
13 Thank you.

14 COMMISSIONER GAW: The issue in regard  
15 to the tree trimming. You say it wasn't obvious at  
16 this point that Ameren was doing -- or it wasn't  
17 visible?

18 MS. MILLER: We have not --

19 COMMISSIONER GAW: I'm trying to --

20 MS. MILLER: Okay. We --

21 COMMISSIONER GAW: Here's what I --

22 MS. MILLER: We went with -- when UE  
23 came, we could always tell that they had been there,  
24 even if we were not home, because there was obvious  
25 evidence of trimming. We have not seen anyone from the

1 utility company since it became Ameren, nor have we  
2 seen any evidence of any trimming.

3 COMMISSIONER GAW: That's what I was  
4 wanting to clarify. So you're not sure whether they  
5 have not been there at all or, if they have been there,  
6 you're saying that the trimming is invisible to you.

7 MS. MILLER: The trimming is invisible  
8 and trimming is needed.

9 COMMISSIONER GAW: Yeah. Okay. And in  
10 regard to the easements in your area, do you -- is  
11 there -- is it clear where the easement is?

12 MS. MILLER: Yeah. If you look at your  
13 -- I would think Ameren would know, but we have it --

14 COMMISSIONER GAW: I'm just asking  
15 whether UE --

16 MS. MILLER: We have it because of a  
17 survey that was done at the time that we purchased the  
18 property.

19 COMMISSIONER GAW: Okay. So is it -- in  
20 regards to the limbs that you see around the wires --

21 MS. MILLER: Right.

22 COMMISSIONER GAW: -- are the limbs over  
23 the wires in your neighborhood?

24 MS. MILLER: Yes.

25 COMMISSIONER GAW: And they are not

1 being trimmed back?

2 MS. MILLER: And they're not being  
3 trimmed back.

4 COMMISSIONER GAW: And I appreciate your  
5 request. There -- generally -- I'll just say this.  
6 Generally, there is evidence presented in rate cases  
7 dealing with a similarly situated utility, and there  
8 may be evidence. We will not have seen this testimony  
9 unless -- at this point unless we -- some of us may  
10 have gone ahead and looked at that. I won't comment on  
11 that. It's possible for us to do that.

12 MS. MILLER: Sure. Who collects that  
13 evidence?

14 COMMISSIONER GAW: But that information  
15 is available, and it could be sorted through. The  
16 evidence as it comes in, as its filed, is available on  
17 the electronic filing system. Perhaps the Judge could  
18 address that. But in regard to picking through that,  
19 that would be an immense thing to try to do for  
20 you-all.

21 So, perhaps, if I could get you to  
22 request it, you might be able to talk to some of our  
23 staff here today, the Public Council, or to the utility  
24 and ask whether or not there have been any filings in  
25 that regard, and they might be able to point you in

1 some direction that would help with that. Thank you.

2 I can't do it because I'm not able to.

3 JUDGE VOSS: Anything else? The staff  
4 there might be able to help you with locating  
5 information.

6 Okay. Elizabeth Green.

7 UNIDENTIFIED SPEAKER: Gone.

8 JUDGE VOSS: Ron O'Connor.

9 Heather DeHart. Joan -- is it Bossick?

10 Virginia Harris. Keith -- is it G-E-R-A-R?

11 Keith Germer. A lot of people are going to submit  
12 written comments.

13 KEITH GERMER,  
14 after being first duly sworn to tell the truth  
15 testifies as follows:

16 JUDGE VOSS: Could you please state your  
17 name and spell it?

18 MR. GERMER: Keith Germer, G-E-R-M-E-R.

19 JUDGE VOSS: And what is your address?

20 MR. GERMER: 7058 Mitchell Avenue,  
21 Apartment 1E -- like Edward.

22 JUDGE VOSS: Are you currently a  
23 customer of AmerenUE?

24 MR. GERMER: Yes.

25 JUDGE VOSS: Do you have a comment or

1 statements you'd like to give?

2 MR. GERMER: Yes.

3 JUDGE VOSS: Please proceed.

4 MR. GERMER: I've lived four places in  
5 St. Louis County in my lifetime, and the last two  
6 addresses that I've lived at, including the one I'm  
7 currently at now, of course, both had issues with,  
8 like, your neighbor's air conditioner starting across  
9 the street and you can see your lights flick in your  
10 home.

11 You know, the houses in my neighborhood  
12 were built in the teens and the '20s. It used to be a  
13 summer home area is what I was told by one of the older  
14 neighbors.

15 There's an area on the northeast corner  
16 of McCausland and Mitchell Avenue where the 120/240  
17 volt lines that are coming off AmerenUE's poles have  
18 actually overheated and dripped. And then they've  
19 cooled off, and then they've overheated and dripped.  
20 It's like a zig-zag. And I think those lines are  
21 actually feeding my street.

22 All the lines that are on my street, you  
23 can see green when the sun is directly on top of it  
24 because it had the old cloth insulation from the '20s.  
25 And it's all -- whenever there's lots of storms,

1     there's lots of it that go on the tree line area.

2                     So the -- the other location is the 1000  
3     block of Raritan Drive, which is situated in the 9300  
4     block of Manchester, where I used to shave in the  
5     mornings -- an apartment complex also -- and I could  
6     see the bathroom lights flick on a consistent basis.  
7     So back then it was just Union Electric.

8                     They came out a couple times. The  
9     second time they came out, they pulled what it looked a  
10    seismograph or a fuse box in the basement. And, sure  
11    enough, you know, that little zig-zag that at 2:30 in  
12    the morning went all the way down to zero and  
13    immediately went all the back up to 120. He couldn't  
14    explain what that was.

15                    A third time I called them out, they  
16    didn't put a reader on a -- they didn't put a recorder  
17    on the meter, but the man told me, he said, See those  
18    wires all the way at the top that come from Manchester  
19    Road into your development here? He said, Believe it  
20    or not, that's the feeder that feeds the entire  
21    apartment complex, the entire Rock Hill industrial  
22    court, the Steak 'n Shake, the former brick medical  
23    building, which was demolished for more apartments.

24                    And he said there's a -- Frankly,  
25    there's too much on this feeder. There should be two

1 or three feeders. You know, this is one of the UE  
2 people that told me that. He said, It's going to cost  
3 too much to do that. And I was kind of scratching my  
4 head, wondering, well, why did someone -- whether Rock  
5 Hill or whoever -- allow all this development through  
6 the years to just overload this. I told him, I said,  
7 Well, I'm glad I'm not a property owner. You know,  
8 compressors really run hot when you run them on low  
9 voltage. Air conditioners, refrigerators, things like  
10 that.

11 Also, Kansas City Power & Light has a  
12 preventive maintenance program -- or I can't remember  
13 the name of the program. It pertains to streetlights.  
14 And it seems like the least streetlights from AmerenUE,  
15 as well as the City of St. Louis lights, which they own  
16 and maintain themselves, there's a tremendous amount of  
17 them out in the city and county area.

18 And I think a lot of us that are in the  
19 St. Louis area may remember about seven months ago,  
20 there was a handicapped lady in wheelchair -- this was  
21 in North St. Louis. She was out in the street because  
22 the sidewalks were in such terrible condition, turning  
23 a corner. Well, it turns out a car was also turning  
24 the corner the other direction, and hit her, knocked  
25 her out in the street. She died later that night. The



1 city streetlight was not working.

2                   So that's an example to me that whether  
3 it's the City of St. Louis or AmerenUE, yes, it is very  
4 important, especially since every single streetlight,  
5 it's like five or six dollars each municipality pays  
6 monthly to rent those -- which includes the  
7 maintenance, the electricity, et cetera.

8                   I found out that only 75 percent of the  
9 time when I personally would call in streetlights to  
10 AmerenUE that they were being taken care of. So now  
11 I've found a way to get them taken care. I e-mail them  
12 to their service@amerenue.com, I think is what it is.  
13 I can't remember.

14                   But, anyway, I don't understand why  
15 AmerenUE does not have a preventive maintenance program  
16 like Kansas City Power & Light does. We're supposed to  
17 be better than Kansas City.

18                   I told you about the zig-zagged wiring.  
19 Oh, also, in the storms in July -- and by the way,  
20 you've asked some people about the outages. I lost  
21 power Wednesday in July for eight hours, until about a  
22 quarter to 4:00 in the morning, and then that following  
23 Friday I lost power seven hours. But I did not lose  
24 any power during the ice storms, in spite of it being a  
25 very old infrastructure in our neighborhood.

1                   In July, the wind from a subsequent  
2   tornado or wind burst or whatever it was -- there's a  
3   concrete and steel streetlight that's located at 1630  
4   Yale Avenue. It's in Richmond Heights. And the base  
5   of the streetlight is cracked. You can actually see  
6   steel in it.

7                   And someone mentioned earlier about a  
8   telephone pole being tied with rope. Believe it or  
9   not, the top arm of this streetlight has white rope,  
10   like a noose, tied around the cable and the telephone  
11   wires. I thought, that's a heck of a lot of weight for  
12   the cable and phone wires to support. I don't know if  
13   AmerenUE did it or if the City of Richmond Heights did  
14   it or what.

15                  But since the storm in July, it blew it  
16   at that angle, and now there's a lot of the rebar  
17   showing at the bottom. So someone has just put orange  
18   cones around it. And it's been that way since July.  
19   It's still never been fixed.

20                  Now, I personally never called that one  
21   back in, but, again, we see that there's a need for the  
22   maintenance, better communication between  
23   Richmond Heights and AmerenUE. I'm not sure who the  
24   answer to it is. Perhaps we can contact whoever came  
25   up with the program for Kansas City Power & Lights, you

1 know, inspection to try to find nonworking  
2 streetlights.

3                   Between Interstate 44 and, I would say,  
4 city limits on Watson Road, I bet you there's 25  
5 streetlights that are either missing or not working.  
6 One of them was hanging from the storm. It was broken  
7 in the middle and just dangling. I don't know if it's  
8 still wired or not.

9                   Oh, the last bullet point: The home  
10 that I live in originally had one electrical service  
11 that was 60 amp, which was fine up until the late '50s.  
12 Now that was upgraded to 100 amp, being a minimum, you  
13 know, requirement. It has three individual wires  
14 coming to my house which has not been used since about  
15 1961 or '62. Now it's what is called a triplex. It's  
16 all wrapped in one assembly.

17                   Well, I didn't see that as an issue when  
18 I bought my house because I thought, oh, I'll just  
19 call, at the time Union Electric, have them replace  
20 that. Because someone has turned my house into a  
21 duplex, and added another 100-amp electric service.

22                   So there's a 100-amp fuse box, 100-amp  
23 breaker box, all feeding through this 60-amp electric  
24 service coming -- you know, it's the three individual  
25 wires. It has the cloth on it just like the ones

1 outside.

2                   So when I called AmerenUE, they said  
3 that I have to have a licensed electrical contractor  
4 come out to my home and have the service before they  
5 would change it. So I said, Even if it's at my cost?  
6 Then they said, Well, that would be between you and  
7 whoever is coming out.

8                   So to make a long story short, we have a  
9 lot of outages. We've had outages with electric, gas,  
10 water and telephone in this neighborhood. I'd give  
11 anything to move out of this neighborhood.

12                  Because I have outages with Laclede Gas,  
13 with water getting in the gas mains and shutting the  
14 gas off to our house, I was thinking, Hey, maybe I  
15 should just upgrade to 200-amp electric services. So I  
16 was getting estimates to find out how much that would  
17 cost me to do it. And one of the contractors that came  
18 out, we were discussing the three individual wires, and  
19 I have nine splices. Instead of three splices, I have  
20 nine splices before it goes into the drip lube and then  
21 it goes down into the meter.

22                  He said that AmerenUE should've never --  
23 when they added that second electric service, they  
24 should've never reconnected that unless they replaced  
25 the triplex. He said some of those don't even have

1 split bolt connectors in them, that the wires are just  
2 laying together and they're wrapped. And I found out  
3 it's because the people that lived in my house before  
4 me had a disconnection and jumped the meter, and Union  
5 Electric had to snip the wires.

6 So just dumb things like this. And I  
7 think there should be some rhyme or reason as to -- I  
8 don't know -- have a little preventive maintenance as  
9 we used to call it in the old days.

10 I think -- oh, and very last -- very  
11 last point, I think. The City of St. Louis' website  
12 advises citizens to call the Parks Department if a tree  
13 gets knocked down or if they want trees on their tree  
14 line area, but it makes absolutely no stipulation as to  
15 whether it's under power, phone or cable lines.

16 I would think that the majority of  
17 St. Louis City and County -- St. Charles County,  
18 Franklin County -- would think about that and go, Wow,  
19 maybe we should put a stop to allowing people to plant  
20 trees in the tree line area if it happens to be that  
21 their side of the street has wires running down it. If  
22 there's nothing above it, that's fine.

23 AmerenUE was just out today trimming my  
24 neighbor's tree that's about five stories tall, so  
25 there's this big chunk trimmed out of it. But, still,

1 it could blow it over from the south and it could, you  
2 know, take out the high voltage wires.

3 But I think we need to stop allowing --  
4 I don't know if that's a Public Service Commission  
5 issue or if that's what each of us citizens have to do  
6 based on where we live, is to say, Look, let's stop  
7 planting trees in the tree line area. Let's plant them  
8 in the backyards, as long as there's no wires nearby,  
9 or perhaps make a distance regulation that says, Trees  
10 cannot be planted within 10 linear feet or 20 linear  
11 feet if there any utilities in that vicinity.

12 You know, I think we might be covering  
13 ourself for the future, you know, if we have any of  
14 these sizeable storms like we had in July and December.  
15 I think that's all I have to say, though.

16 JUDGE VOSS: Are there any questions?

17 COMMISSIONER CLAYTON: What part of the  
18 city were you from again -- or the area?

19 MR. GERMER: Oh, right now, I live in  
20 Richmond Heights, but the --

21 COMMISSIONER CLAYTON: Is that North  
22 County?

23 MR. GERMER: It's actually Mid County.  
24 Richmond Heights and Rock Hill are the last two  
25 neighborhoods I've lived in that have had flickering

1 light issues, apparently because of aging  
2 infrastructure.

3 COMMISSIONER CLAYTON: Okay. Thank you.

4 MR. GERMER: Thanks.

5 JUDGE VOSS: Just a second. We have  
6 another question.

7 MR. APPLING: That's okay.

8 JUDGE VOSS: What was the address where  
9 that light was cracked at the base? 1630 Gale?

10 MR. GERMER: Oh, the one tied to the  
11 wires?

12 JUDGE VOSS: Yeah. Is it 1630 Gale?

13 MR. GERMER: 1630 Yale Avenue.

14 JUDGE VOSS: Yale.

15 MR. GERMER: That's the closest -- it's  
16 condominiums there, and it's the closest address. And  
17 that's in Richmond Heights. Thanks.

18 JUDGE VOSS: Pat O'Leary.

19 PATTY O'LEARY,  
20 after being first duly sworn to tell the truth  
21 testifies as follows:

22 JUDGE VOSS: Could you please spell your  
23 name for the record?

24 MS. O'LEARY: Patty O'Leary,  
25 O-L-E-A-R-Y.

1 JUDGE VOSS: And what is your address,  
2 please?

3 MS. O'LEARY: 851 Bella Lane, St. Louis,  
4 Missouri 63137.

5 JUDGE VOSS: Are you currently a  
6 customer of AmerenUE?

7 MS. O'LEARY: Unfortunately.

8 JUDGE VOSS: Do you have any statements  
9 you'd like to make today?

10 MS. O'LEARY: Yes.

11 JUDGE VOSS: Please proceed.

12 MS. O'LEARY: I've got what I refer to  
13 as my monstrosity. My grandpa lived there for over 20  
14 years. My grandfather lived there since 1967, I  
15 believe, and the house was built in 1963. So in  
16 growing up, he -- there was also a railroad track back  
17 there. And growing up, we used to -- as kids go  
18 through there and, you know, go down to the railroad  
19 tracks.

20 I've got the monstrosity -- like, the  
21 back part of my yard is fenced in, but then behind my  
22 backyard, my yard actually continues, but it's where  
23 the monstrosity is. And it's got all kinds of  
24 vegetation, trees, you name it. Okay. And it's a  
25 hill, to boot. That's why when my grandfather lived



12                   There is so much vegetation back there  
13   and trees that there is honeysuckle going up -- you  
14   can't even see the lines. Okay. The lines are  
15   completely covered in vegetation -- or they were.

25 I know that -- now that is my property.

1 And I'm not sure given what the one gentleman said  
2 about the easement. I know there is easement there. I  
3 thought it was for sure on the easement, but now I'm  
4 not so sure given if it's five foot. Because after the  
5 tree guys -- I had that tree removed, cut down, but  
6 there's plenty more to go around.

7 But there's one -- one bid that I got to  
8 have that tree removed was \$8,000, and that was from  
9 Ray's Tree Service. And so it was a huge tree. I had  
10 Ameren come out. They looked up and said, We can't do  
11 anything, you know. The limbs are too high above the  
12 primary lines.

13 That -- I'm not sure if that's what the  
14 policy is, if that's the case. I had numerous tree  
15 companies come out that wouldn't even give me a bid  
16 because of the primary lines and because of the -- like  
17 I said, it was a monstrosity. It's filled -- was  
18 filled with vegetation, trees, everything. Okay.

19 Well, they wouldn't even give me a bid.  
20 One guy that came out said, I'm not touching that. And  
21 said, If you get Ameren to cut down below the tree  
22 line, I'll take care of the rest. Well, Ameren  
23 wouldn't do it. Ameren came out twice and said they  
24 weren't going to do it.

25 The vegetation of the honeysuckle is

1 actually not on my property. It's on the property that  
2 backs to me. But it's like a mound of vegetation that  
3 was growing up to those lines which was causing you not  
4 to be able to even see those lines.

5 I was told that -- by one of the tree  
6 guys that came out that said, That is so dangerous  
7 because if children are walking back there and they  
8 touch that honeysuckle, they could get electrocuted  
9 because it's going down to the ground and up all  
10 wrapped completely around -- you're talking -- I guess,  
11 I -- there's probably a minimum of four or five lines  
12 -- primary lines.

13 The one tree guy that came out said, I'm  
14 not touching it. You know, you have Ameren come out.  
15 And he said that that is their responsibility. He  
16 said, Yes, that's the case if those tree limbs are  
17 alive. If the tree is alive, then, yes, they've got a  
18 10-foot, I think, clearance above the lines. He said,  
19 When you're talking a dead tree, he said, being as  
20 close as it is, he said, that's their responsibility.  
21 And, of course, that came out of my pocket, and it  
22 ended up costing me \$4,500.

23 I mean, it's like they're not held  
24 responsible at all. And, you know, I think there ought  
25 to be some guidelines for homeowners that -- with this

1 tree. Because they can do just anything they want.  
2 And we don't know if it's right or if it's not. I  
3 mean, you know, if the tree is dead, what are those --  
4 what does that mean? If it's this far away and it's  
5 dead or if it's alive, it should be this way. In  
6 writing. So we know if what we're talking about is  
7 right.

8                   And after the tree was cut down, this  
9 tree was three foot, at least, in circumference. Okay.  
10 And I had somebody stand under the primary line and I  
11 stood in the middle of the tree, where the tree is --  
12 not at the front of it, in the middle of the tree --  
13 and it was eight foot. Now, I don't know given what  
14 that gentleman said, is that considered Ameren's deal.  
15 Or is it five foot on each side of those lines? And I  
16 just think -- I think that somebody -- you should have  
17 some recourse. You shouldn't just be at their mercy.  
18 That's all.

19                   JUDGE VOSS: Any questions? Thank you  
20 very much.

21                   MS. O'LEARY: Thank you.

22                   JUDGE VOSS: Robert Fry.  
23 Joseph Lovette, L-O-V-E-T-T-E. Anne Korb.

24                   ANNE KORB,  
25 after being first duly sworn to tell the truth

1     testifies as follows:

2                     JUDGE VOSS:   Could you please state and  
3     spell your name?

4                     MS. KORB:    A-N-N-E, K-O-R-B.   Excuse my  
5     hoarseness.

6                     JUDGE VOSS:   And what is your address,  
7     please?

8                     MS. KORB:    1970 Chesterfield Ridge  
9     Circle.

10                    JUDGE VOSS:   Are you a current customer  
11    of AmerenUE?

12                    MS. KORB:    I am.

13                    JUDGE VOSS:   Do you have a statement or  
14    comment you'd like to make today?

15                    MS. KORB:    I do.

16                    JUDGE VOSS:   Please proceed.

17                    MS. KORB:    First of all, I'd like to say  
18    as a concerned citizen, I really appreciate the role  
19    that you-all have in making sure that we all have  
20    adequate access to our public utilities.   These are  
21    essential services, and it's a critical and a very  
22    important job.

23                    I do, however, have a couple of concerns  
24    about the legislation that was passed this last year  
25    which -- Section 393.266, which will for the first time

1 allow the -- well, for the second time, to allow the  
2 utilities to give single-use rate adjustments. And  
3 these can be based on four different criteria.

4                   And it's so critical that the Public  
5 Service Commission oversee and make sure that the  
6 utilities are not being allowed to gain rate increases  
7 which could be crippling, because they have proven to  
8 be in Illinois, based on a single-use criteria without  
9 looking at the whole balance sheet and the whole  
10 picture.

11                   In particular, I'm concerned about the  
12 fuel adjustment clause which could allow our rates to  
13 be increased automatically, based upon an increase in  
14 fuel charges without any concern or looking to the  
15 books to make sure that other charges do not balance  
16 out the increase in fuel charges. That's number one.

17                   Number two, there's a -- I'm a little  
18 concerned that if they're just allowed to increase --  
19 pass on rate increases to the consumer, there will be  
20 little incentives for efficiencies on the part of the  
21 utility companies to seek out the best costs for fuels  
22 and also to improve the infrastructure so that they can  
23 make -- you know, attain efficiencies that -- in  
24 providing power, if there's no incentive on the part of  
25 the utilities to do that.

1                   The other -- the environmental  
2   compliance surcharge, the weather mitigation surcharge  
3   and conservation surcharges are certainly also  
4   important in light of Taum Sauk. Had it happened a  
5   month later, we could conceivably have had all the  
6   costs associated with the Taum Sauk disaster passed  
7   onto the rate payers.

8                   I don't know -- I'm not saying it  
9   would've happened, but it could conceivably have  
10  happened because they could've been allowed through  
11  this surcharge to just pass directly on environmental  
12  costs to the consumer.

13                  So it's so important, as a concerned  
14  citizen, you are the only people really standing  
15  between us and the ability of the utilities to pass on  
16  these costs and begin to raise our rates like they have  
17  in neighboring and other states.

18                  I also think given the appearance, at  
19  least, that UE has -- Ameren has not been responsible  
20  -- responsibly taking care of things like tree trimming  
21  and the infrastructure that guaranteeing a return in  
22  equity of 12 percent has to be looked at in some  
23  detail. I mean, we can't reward this kind of  
24  performance. It wouldn't happen in normal Corporate  
25  America.

1                   And third -- and I'm sure this is a  
2   sensitive subject -- but I think and I hope, there's no  
3   place for politics when it comes to representing the  
4   citizens of the State of Missouri with regard to the  
5   utility organizations. It concerns me deeply to  
6   realize that the governor's brother was -- the  
7   governor's brother was the lobbyist for Ameren. I  
8   think that needs to be looked at very, very carefully.  
9   And I certainly hope this Commission will do that.

10                   The rate charge is not the first time  
11   that there has been a rate surcharge. We had one that  
12   was overturned in 1979 by the Missouri Supreme Court.  
13   And I'm sure there was good reason for that. And I  
14   think we need to look back and understand why the Court  
15   made that decision when it did and the relevance to  
16   this rate charge increase. Thank you.

17                   JUDGE VOSS: Any questions?

18                   CHAIRMAN DAVIS: Judge, I've got one or  
19   two. Ma'am, can I take a look at the document that  
20   you're reading from?

21                   MS. KORB: Certainly. These are notes I  
22   wrote for myself.

23                   CHAIRMAN DAVIS: Okay. Can we have a  
24   copy of it?

25                   MS. KORB: If you wish.



1                   CHAIRMAN DAVIS: And did you prepare  
2 these yourself?

3                   MS. KORB: I did. And I didn't read  
4 from them, actually. I didn't read those into the  
5 records. I had them in front of me. I prepared these  
6 directly after the Public Service Commission approved 3  
7 to 2 to the legislation that was passed in 2005.

8                   CHAIRMAN DAVIS: Ma'am, do you think the  
9 existing regulatory framework that AmerenUE has been  
10 operating under has been good for consumers?

11                  MS. KORB: I'm not qualified to answer  
12 that. I think things have been managed --

13                  CHAIRMAN DAVIS: Well, sure you are.  
14 You're qualified -- you're here to talk about fuel  
15 adjustment. You're here to talk about rates. Sure,  
16 you're qualified to say. Or have you not researched  
17 that issue?

18                  MS. KORB: Could you restate your  
19 question? Perhaps I didn't understand it.

20                  CHAIRMAN DAVIS: Sure. Do you think the  
21 existing regulatory framework the -- I don't know what  
22 you would call it -- the last agreement that Ameren has  
23 been operating under for these years, do you think  
24 that's been good for consumers?

25                  MS. KORB: Yes.

1 CHAIRMAN DAVIS: Why?

2 MS. KORB: As far as I know.

3 CHAIRMAN DAVIS: So are you saying

4 you're happy with the service that customers are

5 getting?

6 MS. KORB: No.

7 CHAIRMAN DAVIS: Okay. So you're just

8 happy with the rates?

9 MS. KORB: Yes.

10 UNIDENTIFIED SPEAKER: The old rates,

11 prior to the increase.

12 CHAIRMAN DAVIS: No further questions.

13 JUDGE VOSS: Would you like to have that

14 marked as an exhibit to go with your testimony?

15 MS. KORB: No. Actually, I wouldn't.

16 These were notes for myself.

17 JUDGE VOSS: Okay.

18 MS. KORB: Thank you.

19 JUDGE VOSS: I'm just trying to clarify.

20 MS. KORB: That's all right. I can

21 rewrite them for you, if you wish, and submit them.

22 JUDGE VOSS: That's okay. I think

23 that's okay.

24 CHAIRMAN DAVIS: That's fine.

25 JUDGE VOSS: Any questions?

1 CHAIRMAN DAVIS: No. Thank you.

2 JUDGE VOSS: Thank you.

3 COMMISSIONER GAW: Thank you for coming,  
4 ma'am.

5 MS. KORB: Thank you.

6 JUDGE VOSS: Okay. Eva -- is it Braden?  
7 Kevin Harding.

8 KEVIN HARDING,  
9 after being first duly sworn to tell the truth  
10 testifies as follows:

11 JUDGE VOSS: Could you please state and  
12 spell your name?

13 MR. HARDING: Kevin Harding. My first  
14 name K-E-V-I-N, last name H-A-R-D-I-N-G. And my  
15 address is 2193 Farmcrest Drive, all one word, that's  
16 Arnold, Missouri 63101.

17 JUDGE VOSS: And are you currently a  
18 customer of AmerenUE?

19 MR. HARDING: Yes, I am.

20 JUDGE VOSS: Do you have a statement  
21 you'd like to make today?

22 MR. HARDING: Just a comment. First, I  
23 wanted to thank everybody here who attended. I value  
24 your advocacy for the customers of all utilities --  
25 Ameren and Laclede and -- so -- and I guess the first

1 point I wanted to make -- I listened to everybody. I'm  
2 not going to take a bunch of time because most things  
3 that I already wanted to talk about have been spoken  
4 to.

5                   To me, it all boils down to a couple  
6 things. And one is responsibility, accountability and  
7 transparency. And I think it's pretty clear that  
8 AmerenUE has not done a very good job here recently as  
9 far as being responsible for their customers. I  
10 realize that Ameren receives revenue both from the  
11 electrical energy that they generate and distribute and  
12 also from the pack of the stockholders.

13                   But, you know, I think it's been lost,  
14 at least on UE -- or Ameren that their primary function  
15 is to take care of the customers, and secondary is the  
16 stockholders. And the fact that -- somebody made a  
17 point earlier today about, you know, we can't do  
18 anything about the money that's been paid out to the  
19 stockholders in the past when, in fact, that money  
20 should've been used for, you know, for various things  
21 that have been talked about. But we can sure prevent  
22 that same error from taking place again.

23                   Their rate of return definitely needs to  
24 be looked at. And I think it should be reduced, frozen  
25 or whatever until some plan is put into play that makes

1     sure that the system is reliable. And then once the  
2     system is reliable, we can talk about earnings and  
3     percentages.

4                     And again, with responsibility comes  
5     accountability. That's where you guys come in. And we  
6     just pray and hope that you guys can do whatever you  
7     can do to hold the utility companies accountable to  
8     their customers and not just their shareholders.

9                     And the last term was transparency. You  
10    know, I'm hoping that this process, this review  
11    process, is transparent enough that, you know, your  
12    accounting experts and engineers and whatever can  
13    review it and make sure that we're both -- you know,  
14    you are on the same page with Ameren.

15                    My last comment, and I made it earlier  
16    today in kind of an open question session, and it was  
17    kind of brought up by a gentleman from Florissant who  
18    is gone, and that's technology. You know, I think  
19    Ameren has probably done some things within the plant  
20    to take advantage of changes in technology.

21                    And I think they've done things -- or  
22    plan to do things, from what I've read -- trying to put  
23    in smart meters at homes, just to kind of take a look  
24    at load profiles and maybe even to try to be proactive  
25    instead of reactive during the summertime when their

1 plants are stressed.

2                   But I think one of the things that  
3 hasn't been addressed, again, is what happens between  
4 the plant and the meter, you know, relative to  
5 redundancy for feeders that are known to have problems.  
6 And, also, you know, I made a comment about smart  
7 metering or smart switches. I've read a little bit  
8 about them. I know those are used to protect, for  
9 instance -- all those utilities are on a common grid.  
10 If there's a problem in Ohio, Ameren is protected  
11 through smart switching and a microprocessor to make  
12 sure that a breakdown in Ohio doesn't drop Ameren off.

13                   And I think that same technology needs  
14 to be applied downstream between the plants, the  
15 generating plants, and the end user. And I'm almost  
16 positive that it hasn't taken place because it costs  
17 money. And most of these substations were built in the  
18 '50s and '60s. And, you know, the physics are the  
19 same.

20                   You bring in high voltage, you transform  
21 it down into a low voltage, you send it over the wires.  
22 I mean, that's the physics that aren't going to change,  
23 but technology can kind of enhance that process. And I  
24 know that Ameren has not done that. And that's why I  
25 want to talk to somebody with Ameren and their

1     engineering department to show me.

2                     You know, you're talking like you've  
3     spent \$1.3 billion in the last several years on  
4     equipment. You know, have you done it wisely? Have  
5     you done things to make the system more redundant?  
6     Have you done things to introduce technology between  
7     the plant and the meter? I don't think it's been done.  
8     So -- and again, it's painfully obvious that -- related  
9     to responsibility that Ameren has not been responsible  
10    to their customers.

11                    And, you know, we have to look at the  
12    summer outage, the retention pond at Taum Sauk and what  
13    happened just several weeks ago to see that they don't  
14    have their eye on the ball, unfortunately. So that's  
15    all I have to say.

16                    JUDGE VOSS: Any questions?

17                    CHAIRMAN DAVIS: Judge, I've got a few.  
18    Mr. Harding, there's a young man there. Is that your  
19    son? Do you want to say something?

20                    IAN HARDING: Sorry. It's just, our ZIP  
21    code is 010, Dad, not 101.

22                    CHAIRMAN DAVIS: Mr. Harding, I know  
23    that you have sat here -- you and your son up here in  
24    the front row, and I've had a chance to observe you for  
25    the last couple of hours. Your son has been waiting

1 here patiently.

2 MR. HARDING: Yes.

3 CHAIRMAN DAVIS: Don't you think that  
4 young man deserves an ice cream cone when you leave?

5 MR. HARDING: I made a comment shortly  
6 before I stood up here that he's going to get rewarded.

7 CHAIRMAN DAVIS: Thank you. And I'm  
8 sorry, what's your son's name?

9 MR. HARDING: Ian, I-A-N.

10 CHAIRMAN DAVIS: Ian, do you have  
11 anything else to say?

12 IAN HARDING: No.

13 CHAIRMAN DAVIS: Later on, someday,  
14 you'll be able to tell people, hey, you came to a  
15 Commission meeting.

16 MR. HARDING: That's why he's here, part  
17 of the education process.

18 (Applause.)

19 CHAIRMAN DAVIS: Well, Ian, I hope you  
20 get a good reward. Mr. Harding, thank you for your  
21 testimony. Thank you for your patience. And, Ian,  
22 thank you too.

23 MR. HARDING: Thanks for your time.

24 JUDGE VOSS: I think we're going to take  
25 another five-minute break, come back just after 3:00



1 and start up.

2 How many people are waiting to testify?

3 Because I know some people have left. Just three.

4 Because there's a new list here.

5 UNIDENTIFIED SPEAKER: Three. Let's go.

6 JUDGE VOSS: Okay. We'll go ahead and

7 keep going.

8 UNIDENTIFIED SPEAKER: Four. I think I

9 saw four.

10 JUDGE VOSS: We'll go ahead and

11 continue. Mike McDowl. Rose Wesolowski.

12 UNIDENTIFIED SPEAKER: Over here.

13 JUDGE VOSS: Okay. If you can correct

14 my butchering of your last name. I apologize.

15 ROSE WESOLOWSKI,

16 after being first duly sworn to tell the truth

17 testifies as follows:

18 MS. WESOLOWSKI: My name is Rose,

19 R-O-S-E, Wesolowski, W-E-S-O-L-O-W-S-K-I.

20 JUDGE VOSS: Thank you. And what is

21 your address?

22 MS. WESOLOWSKI: 1129 Maple Avenue. I

23 live in Spanish Lake, 63138.

24 JUDGE VOSS: And are you a current

25 customer of AmerenUE?

1 MS. WESOLOWSKI: I am.

2 COMMISSIONER CLAYTON: That's North  
3 County.

4 MS. WESOLOWSKI: Yes. That's North  
5 County. Well, Senator Green, he's one of my neighbors.

6 JUDGE VOSS: And do you have any  
7 comments that you'd like to make?

8 MS. WESOLOWSKI: Yes. I have a few.  
9 First of all, I'd like to thank the Public Service  
10 Commission for coming to my aid earlier this year  
11 before the storm of the century in July, and the one  
12 again in December. I actually had some real-time  
13 normal business where I had problems and you helped me  
14 very much. It may have even been Beverly. I'm not  
15 really sure of the name of the person now.

16 But back in May of this year, this past  
17 year, my dusk to dawn light that I have on my telephone  
18 pole went out. I live in a high crime area, so it was  
19 real important to me to have that light. I pay \$6.90 a  
20 month to have it, plus tax. I'm the only one in my  
21 neighborhood that's actually paying for it. I know in  
22 other communities, you know, the residents split the  
23 cost, but it was important enough to me to have. And  
24 it went out.

25 So I called AmerenUE to report it. And

1 they told me that someone would be there in a couple of  
2 days. Well, a couple of days went by and nothing  
3 happened. So I called back to report it again, and  
4 that's when I was told that, Well, those are not a  
5 high-priority item. So they couldn't really tell me  
6 when someone could come. It got to be almost three  
7 weeks, I guess. And, finally -- I had made several  
8 calls along the way about, you know, reporting it.

9                   Meanwhile, there was a robbery in the  
10 house next door to me, which is in the back of the  
11 house, which is in the area that was pitch black. So  
12 that really frightened me. I, at that time, called the  
13 Public Service Commission, and I talked to someone and  
14 told them, you know, that I had tried repeatedly to get  
15 progress reports of when someone would be there,  
16 et cetera. And they actually got results.

17                   I had someone there within a day, 48  
18 hours at the most, I would say. So I was very, very  
19 appreciative. And my bill was credited the full amount  
20 for a whole month's worth of service because all told  
21 it was about a month.

22                   But also during that same period, I  
23 thought, well, I'm feeling ambitious. I'm going to  
24 call and make a complaint about the trees and the  
25 wires. Because in my backyard, there are wires and

1 trees that are intertwined. So right around the first  
2 part of June I called to ask if someone could come and  
3 look at the wires and the trees. And someone did come.

4                   And I was at work. They called me on my  
5 phone at work and said, Ma'am, we're sitting in front  
6 of your house and there are no wires in the trees -- or  
7 vice versa. And I said, Are you looking at the right  
8 house? And they said, yes, they were. But there was  
9 nothing else I could do at that point. However, he did  
10 say if I wanted to cut the trees, have them cut, they'd  
11 be happy to drop the line and I could hire someone to  
12 come in.

13                   So my point was, well, you're telling me  
14 that there's no wires in the trees, but I could go  
15 ahead and get it fixed. So I kind of dropped that, not  
16 really knowing that later on it would be a problem.

17                   I lost my power in July for seven days.  
18 And, you know, I know that was a big storm. But I  
19 tried in advance to get someone to help with this  
20 tree/wire situation and they kind of blew me off. And  
21 I really didn't have any spit left to go after them  
22 with that since I already had the dusk to dawn  
23 situation. You kind of feel your, you know,  
24 priorities. Like I said, we had no idea what was  
25 coming.

1                   And so, you know, I got my power back  
2 eventually, went on with life. And all this publicity  
3 -- I didn't go to your last hearing because for some  
4 reason I couldn't get there, but I wanted to. But what  
5 I have to say now is just as pertinent as it was then,  
6 so I appreciate having this opportunity to come back.

7                   We went on with life, and then the next  
8 storm of the century, of course, happened. I work at  
9 Scott Air Force Base. It took me three hours to get  
10 home that day, so I do know about -- there was  
11 accidents on the bridge. So I know exactly, you know,  
12 how bad things were. I was grateful to get home, made  
13 it to my house.

14                  Well, my neighbor called me and told me  
15 there was flames shooting up behind my house. And I  
16 thought, okay. So I went outside. And by the time I  
17 got out there, there was no flame. But I did observe a  
18 big piece of tree in my backyard that was burned. So  
19 the wires in the backyard are on those trees. You  
20 know, there was a thing called arcing going on. So the  
21 tree, you know, actually burned down to the ground.

22                  So I went back in the house, and the  
23 neighbor calls and says it's happening again. So I  
24 went out there, and sure enough there's another tree.  
25 It wasn't in my backyard. It was in the neighbor

1 behind me. But again, this is all the same area that I  
2 had called about in June -- May/June, that time frame.

3                   The ice pushed the wires -- or pushed  
4 the tree down on the wire. It was rubbing and rubbing  
5 and rubbing. And sure enough, I saw the fire. And so  
6 I called 911. Because my power for my house was  
7 connected to that wire, and I -- you know, I see  
8 Arizona fires, forest fires and houses disappearing,  
9 and I thought maybe the electricity would travel to the  
10 back of my house.

11                   So I called 911 and they said there's  
12 seven fires in Spanish Lake dealing with trees. You'll  
13 have to wait your turn. And, finally, I called back  
14 two more times. And someone did come. A policeman  
15 came and looked at it. The fire department did come  
16 eventually, and they told me that that was Ameren's  
17 problem and that they couldn't do anything about it.

18                   So -- and I couldn't call Ameren because  
19 the lines were busy, I think. You know that situation.  
20 So I asked the fire department should I disconnect my  
21 electricity, should I turn off the breaker. You know,  
22 because I was really scared. Because I'm not an  
23 electrical expert, but I kind of envision all the worst  
24 things that could happen. And here I am, begging for  
25 somebody to do something and there was nobody that was

1     able to help me.

2                     The fire department says I could call  
3     Senator Green, who was here today. I said, Well, does  
4     he have a pole and a hose, you know, or what. And then  
5     they said, But you really need to call the utility  
6     company. So they said that they had already contacted  
7     them. And I don't know if they have a special number  
8     that they call being the fire department or not.

9                     But to this day, my power has been  
10    restored. I was out five days. And I know what day  
11    they rehooked it because they read my meter that day  
12    and I got a bill. So the date of the reading was the  
13    5th of December, so I know what day they came out,  
14    which was the fastest I had ever gotten a bill. I  
15    mean, it was quite prompt.

16                    But I guess my issue here is that some  
17    of the trees that were bent over, rubbing the wires,  
18    have stood back up now because the ice is gone. And  
19    miraculously they sprung back up. So they still need  
20    trimming. And it's just a matter of time before this  
21    happens again.

22                    My frustration in calling the Forestry  
23    Department, I know that they're going to give me the  
24    same response they gave me before when they told me  
25    that there were no wires on the trees because they're

1 not. You know, the same ones are still there, but  
2 these are standing up again. So I don't know what to  
3 do about that. But I did think about bringing a piece  
4 of the burnt tree because I do have it in case you  
5 wanted some evidence. But I couldn't get it in my car.  
6 I didn't have time to saw it.

7                   But I guess I'm not sure, you know, what  
8 my responsibility is. I heard another lady say  
9 earlier, you know, the fact that they were willing to  
10 drop the lines for me. Am I supposed to cut these  
11 trees? I do. Now, I have a tree in my yard and I get  
12 out there -- and that's the other point I wanted to  
13 make.

14                   The tree pieces that they did cut that  
15 they could see that were obviously a problem when they  
16 came on the 5th of December, they dropped them and they  
17 were hanging on my cable and my -- what's the other  
18 thing back there? Phone. There's like an elbow -- not  
19 an elbow. You know how tree branches, like, split and  
20 there's like a -- they just hang. They were just  
21 hanging down on my cable and my -- the other thing.

22                   So I got a ladder out there myself about  
23 a weekend ago, two weekends ago, maybe, before the end  
24 of the year. And I got up there and I was really  
25 scared. I wasn't sure what was live and what wasn't,



1 but I know for sure what was because it was the stuff  
2 that was smoking.

3                   So I did. I took a chance and I got up  
4 there. Because with it hanging like that, you know,  
5 it's just a matter of time before wind or something  
6 will make my telephone or my cable go out. So I went  
7 ahead and took care of that myself.

8                   And I am proactive. You know, I own my  
9 own home. I'm proud of my home. I'm trying to do  
10 whatever. But when you call somebody and ask them for  
11 help and then there's no response, you know, that is  
12 kind of a problem. We do have a communication issue, I  
13 think, with the utility company, the fact that you  
14 can't get in touch when you try.

15                   I heard someone else make a comment  
16 about, well, go to the Internet. Well, you do have to  
17 have electricity to go to the Internet, you know. And  
18 after we had the storm in the summer, when I went to  
19 work, I saw Charlie Juliette (phonetic) of St. Louis  
20 County Construction thing out there. And I was like,  
21 well, you know, that's nice now that days later and  
22 that they work.

23                   But -- so anyway, I wanted to ask you,  
24 again, help me because you were so successful the last  
25 time and I appreciated it. I don't want to run to you

1 with everything. But I can see that there's a  
2 potential for when is the next event going to happen  
3 because there have been no changes since the last two.

4 And my neighborhood, like I said, is  
5 high crime. We have a lot of low income families. And  
6 I don't -- this is a perception I have, and you can  
7 tell me if I'm right or not. But I have a perception  
8 that because I have a lot of customers in my community  
9 that don't pay their bills on a regular basis, that  
10 I've got neighbors that have gotten disconnect notices  
11 because they don't pay, I feel that maybe North County  
12 is kind of at the bottom of the totem pole because, you  
13 know, it might be a class issue or something like that.

14 I feel that because we're, you know --  
15 we were one of the last ones again to get our power  
16 restored both times. I feel that maybe there's just  
17 some kind of, you know, problem with North County in  
18 general that they don't want to help us.

19 JUDGE VOSS: Are there any questions?

20 COMMISSIONER GAW: Thank you very much  
21 for coming. I do have -- just real quick. I think I  
22 heard you say that you tried to call in December -- or  
23 November or December during the ice outage.

24 MS. WESOLOWSKI: Right. And I could  
25 never get through. It was just busy.

1                   COMMISSIONER GAW: We've had this  
2 testimony frequently regarding July. I'd just like a  
3 little bit more information about how many times you  
4 tried to call, and if you remember the times and the  
5 result. Did you ever get through? Was it a busy  
6 signal every time you called? Those kinds of things.

7                   MS. WESOLOWSKI: Well, at first, they  
8 were busy signals. But then later on you'd get a  
9 message, a recorded message. And I tried different  
10 times in the day, over a period of about three to five  
11 days. Because I figured as more people got restored  
12 that the phone lines would free up. And that was never  
13 the case. And I finally gave up after about three  
14 days.

15                  COMMISSIONER GAW: So you could not get  
16 through at all during the ice storm outages?

17                  MS. WESOLOWSKI: No. No. As a matter  
18 of fact, I don't know if the busy signal even had  
19 anything to do with the storm, you know, how Ameren's  
20 phone lines were affected. I know some of the people  
21 -- I have an old-fashioned clunker phone, so that phone  
22 always works. But the ones with the push button and  
23 all that, you know, they don't work, and the walk  
24 around phones and stuff like that.

25                  But I did try to call my bank, my U.S.

1 Bank over there on Larimore Road, and I couldn't get  
2 through to their phone either. So, like I said, I  
3 don't know how much was Ameren directly or -- well, I  
4 guess it's all, you know, indirectly because they  
5 provide power.

6 COMMISSIONER GAW: Do you know whether  
7 there were -- did you utilize your phone during those  
8 three days and get in touch with someone?

9 MS. WESOLOWSKI: Oh, yeah. Yeah.

10 COMMISSIONER GAW: Okay. So it wasn't  
11 an issue in regard to your phone at all?

12 MS. WESOLOWSKI: No. No. No. No.  
13 You're correct on that. Because, yes, I -- my mother  
14 lives in Bellefontaine Neighbors, and I -- you know, I  
15 ended up going to her house eventually. I gave up.

16 COMMISSIONER GAW: I think that's it.  
17 Thank you very much.

18 JUDGE VOSS: Any other questions?

19 CHAIRMAN DAVIS: No.

20 JUDGE VOSS: Thank you. Is it  
21 Marge Thompson? Roger Harty. Julie Kidwell.  
22 Joan Janowski. Is it Markita Halliburton?  
23 Sally Bowles. Marion Lipsitz. It's difficult to read.

24 UNIDENTIFIED SPEAKER: Who else is here?  
25 Just call for whoever else is here.

1 JUDGE VOSS: Who else is here?

2 UNIDENTIFIED SPEAKER: Just come on up.

3 JUDGE VOSS: Two. Do you want to come  
4 first? Could you please --

5 TED HAMBURG,  
6 after being first duly sworn to tell the truth  
7 testifies as follows:

8 JUDGE VOSS: Could you please state your  
9 name and spell it, please?

10 MR. HAMBURG: Ted, T-E-D, H-A-M-B-U-R-G.  
11 849 Greenshire Court, University City, Missouri.

12 JUDGE VOSS: And are you a customer of  
13 AmerenUE?

14 MR. HAMBURG: Yes. Thank you for  
15 coming. Thank you for sitting through the hearing.  
16 I'd like to point out that seemingly it was an overflow  
17 crowd when we started, and that, obviously, people are  
18 peeved. I'd also, I guess, like to apologize for  
19 AmerenUE. I happen to own almost 1,400 shares in this  
20 company, and it would seem like after sitting here for  
21 a couple of hours, listening to people complain, I  
22 should be watching this and dump it. Because why would  
23 I want to own such a miserable company that can't take  
24 care of their customers.

25 So I have a hook that the other people

1 -- I assume they would've mentioned if they had it.  
2 You've already given them a free ride as far as the  
3 fuel service surcharge goes. You saw that they  
4 included -- I may misspeak here -- but they included  
5 the extensive -- they were going to pay for the  
6 Taum Sauk in their new figures that they were going to  
7 put out, and somebody caught it. And that was not  
8 supposed to be included. You understand what I'm  
9 trying to say on that.

10                   So in my view, if you don't watch them,  
11 they're going to get into your pocket. That's the  
12 nature -- to a certain extent, that's the nature of  
13 business in general, that if your back is turned,  
14 prices go up. I don't think they've been real  
15 responsible and real honorable.

16                   Honestly, if they had any smarts -- I  
17 wasn't here earlier when, apparently, there were people  
18 here from Ameren here -- but how smart do you have to  
19 be to leave one person from Ameren here behind to  
20 listen to what all the people have to say and write  
21 down the addresses that obviously there were trouble  
22 spots and get somebody out there later on this week.  
23 How were they going to find out all about this? So in  
24 my view, they were negligent today not to even want to  
25 listen to their customers and try and turn things

1 around.

2 I don't -- I'm not an engineering. And,  
3 seemingly, you're going to have to hire some engineers  
4 to look at their infrastructure. But I know when you  
5 watch people from the sewer department of Missouri  
6 American Water, when there's a water leak, they only  
7 repair the spot where the leak is.

8 So if you have an old water hose and you  
9 get a leak, you can buy a little clamp that will fix  
10 that inch where the leak is. But if the hose is old  
11 enough, the next time you put pressure on it, you're  
12 going to get another leak a couple feet down.

13 But that's what Missouri American Water  
14 does, because frequently you see them out in the same  
15 neighborhood where they've already fixed a leak, and  
16 they fix a leak three or four feet away. Okay. That's  
17 obvious -- and you can talk to the people.

18 Ameren, apparently, is doing the same  
19 thing and, seemingly, letting their infrastructure  
20 deteriorate while doing other things with the money  
21 besides paying me.

22 The S&P 500 only did 14 percent this  
23 year. For Ameren to want to get a return on equity of  
24 12 is ridiculous. They are a utility. A utility  
25 always lags other businesses. Other businesses who did

1    maybe 12 this year may only do 9 or 8 next year. They,  
2    in essence, swing with the market and make their own  
3    decisions.

4                    If you guarantee Ameren 12, then that  
5    means next year they do 12. Then they do much better  
6    than everybody else. So for a utility to do as good as  
7    an unregulated business, be it Charter or whomever, is  
8    -- in my opinion, is ridiculous and shouldn't even be  
9    approached.

10                   The case where you're going to say,  
11    Well, look at the other utilities around the country.  
12    That's bogus too. Because if they have a weak  
13    Commission in that state or for whatever reason, if  
14    they have a political influence going on, where other  
15    utilities have raised their rates beyond what would  
16    they necessarily should be, that doesn't mean that  
17    Ameren can say, Oh, look at these others, and we're  
18    entitled to the same thing. That's really not true.

19                   It would be interesting to know -- in  
20    the storm, trees fall on telephone wires and ice gets  
21    on telephone wires. I lost my electrical service in  
22    those storms, but my phone continued to function. It  
23    would be interesting to know how many phones went out  
24    from AT&T, formerly Southwestern Bell.

25                   Because if the, seemingly, for -- of



7                   Anyway, the only -- I think as a  
8 monopoly they're not entitled, again, to a 12 percent  
9 -- you know, to gain something almost as good as  
10 unregulated business. I think honestly the American  
11 automobile manufacturers neglected their customers in  
12 the years gone by, and people decided to try what we  
13 used to call import cars. Now, they're made here and  
14 the American manufacturers are suffering.

20 JUDGE VOSS: Are there any questions?

25 UNIDENTIFIED SPEAKER: He wasn't here to

1 know that.

2 COMMISSIONER APPLING: Okay. Thank you.

3 UNIDENTIFIED SPEAKER: Well, I hope  
4 they're making notes on all of this. There are people  
5 out there. Thank you for saying that. I'm -- since  
6 I'm an owner, you're working for me. So I'm glad to  
7 see you. Thank you.

8 JUDGE VOSS: Thank you. Is there  
9 another gentleman? Would you please come forward.

10 PAUL ROUILLARD,  
11 after being first duly sworn to tell the truth  
12 testifies as follows:

13 JUDGE VOSS: Could you please state and  
14 spell your name for the record?

15 MR. ROUILLARD: Paul Rouillard.

16 JUDGE VOSS: Could you please spell  
17 that?

18 MR. ROUILLARD: R-O-U-I-L-L-A-R-D.

19 JUDGE VOSS: And what is your address?

20 MR. ROUILLARD: 4000 Engler Avenue,  
21 St. John, Missouri.

22 JUDGE VOSS: And are you currently a  
23 customer of AmerenUE?

24 MR. ROUILLARD: Yes, I am.

25 JUDGE VOSS: Do you have a statement



1 still out from this summer. It's a UE light. They put  
2 the wire up and didn't put the light on.

3 Oh, and some utilities -- I got a letter  
4 -- not a letter, a card. There's no name on it. Call  
5 us. I'd call. They don't know who called. 45 -- no,  
6 for 18 minutes I was on the telephone. They don't know  
7 who called. They'll have to call me back. They never  
8 did call.

9 But you can play with expenses, you know  
10 that, in a large company. You can charge things that  
11 should not -- to the wrong account. I'll put it that  
12 way. That's it.

13 JUDGE VOSS: Any questions?

14 COMMISSIONER GAW: Sir, thank you for  
15 coming. And may I, just about the streetlight real  
16 quick? The streetlight, you say, is AmerenUE's light?

17 MR. ROUILLARD: Yes. They came and  
18 reconnected the wire, but didn't put the light on. The  
19 light was torn off from the pole.

20 COMMISSIONER GAW: Do you know if anyone  
21 has called them about it?

22 MR. ROUILLARD: Yes. They came out and  
23 put the wire up. The wire was down on the ground.  
24 They hooked it back up, but they didn't put the light  
25 on.

1 COMMISSIONER GAW: And that's been the  
2 end of it?

3 MR. ROUILLARD: That's the end of it.

4 COMMISSIONER GAW: And this is in what  
5 community again?

6 MR. ROUILLARD: St. John.

7 COMMISSIONER GAW: St. John. And, also  
8 -- well, I think that was it. Thank you very much,  
9 sir.

10 MR. ROUILLARD: Is that it?

11 JUDGE VOSS: Thank you very much. Is  
12 there anyone else who wanted to testify that has not  
13 yet had an opportunity? Please step up.

14 PAUL MILLS,  
15 after being first duly sworn to tell the truth  
16 testifies as follows:

17 JUDGE VOSS: Could you please state your  
18 name and spell it, please?

19 MR. MILLS: My name is Paul Mills,  
20 M-I-L-L-S. I live in Overland, Missouri. And I'm  
21 here --

22 JUDGE VOSS: Could you please also state  
23 your address?

24 MR. MILLS: 2507 Sims, Overland,  
25 Missouri 63114.

1 JUDGE VOSS: And you are a customer of  
2 Ameren? You're currently a customer of Ameren?

3 MR. MILLS: Yes, ma'am. I am.

4 JUDGE VOSS: Okay.

5 MR. MILLS: I should be saying,  
6 Your Honor. I read the statement, and I would have to  
7 assume that you're the judge that's referred to in the  
8 article here.

9 JUDGE VOSS: Yes. That would be right.

10 MR. MILLS: I would like to say that  
11 I've read the statement that the Missouri Public  
12 Service Commission Staff has made in testimony, and I  
13 agree with it.

14 I would like to make a comment. Based  
15 upon my life's work, I've been -- I spent four years  
16 and nine months in the Air Force in electronics. I  
17 spent 22 years at Emerson Electric in electronics. And  
18 I spent almost five years as an industrial electrician  
19 at Mytek in Earth City. I am now retired.

20 I heard many people speak today about  
21 vines and tree limbs on power lines. Each one of these  
22 incidences that was mentioned represents a loss. If  
23 you think of a power plant being a water tower full of  
24 water and somebody is sitting back with a weapon  
25 shooting holes in the water tower, with each bullet

1 hole representing a leak, this is essentially what's  
2 happening when you have a vine or a tree limb that  
3 touches a power line.

4                   Whether it actually reaches to the  
5 ground or not may not make any difference. As long as  
6 it's laying across, it's drawing power across it. And  
7 it also presents a tremendous amount of electrical  
8 hazard.

9                   As you know, during the cleanup, there  
10 were electricians from out of state that were  
11 electrocuted as part of -- I mean, that's the hazard.  
12 And this is what -- fortunately, it was with people  
13 that should've known better, I would say, that this  
14 hazard occurred to rather than residents.

15                  Having said that, the amount of leakage  
16 is obviously going to determine the size of the hole in  
17 that water tower. So -- and, accordingly, it is for  
18 that reason I would say while AmerenUE is asking for a  
19 rate increase, AmerenUE, in my opinion, could be  
20 getting the same thing by merely cleaning up the  
21 leakages that they have in their system today. And  
22 that is why I'm here.

23                  There's a -- I live -- I mentioned where  
24 I live. I have a neighbor that's got a tree next door.  
25 This past summer, there was five AmerenUE officials who

6 But as I speak, there are three limbs  
7 that's overhanging that power line. And I pointed out  
8 to them there was a potential that that could bring the  
9 power lines down. And if not, it's certainly going to  
10 present a big electrical short. There's nothing been  
11 done to that.

12                               And I think it is because of instances  
13    like that that we, the taxpayers, are paying for all  
14    them little holes that are in that water tower. And I  
15    think a stop needs to be put to it. They need to  
16    straighten their act up.

17                   And I'm really put out by the fact that  
18    -- there were, there was five UE officials. They were  
19    not -- as I understood it -- because anytime somebody  
20    appears in my backyard, I want to know who they are and  
21    what they're doing. Unfortunately, I have to find out  
22    the hard way by going out there and getting nasty with  
23    them and asking them to identify themselves. And  
24    that's what occurred on that occasion.

25 I think when they're coming through our



1   backyards doing a survey or anything like that, they  
2   can either put a card in our mailbox, a letter, a  
3   sheet, a flyer, anything, they're going to be in the  
4   neighborhood within a certain period of time, so that  
5   we the residents can understand who they are.

6                   I think I'm done here. Do you have any  
7   questions?

8                   COMMISSIONER CLAYTON: Just one  
9   question. Are you saying you had no communication at  
10  all from the company and you discovered there were five  
11  people walking through the backyard?

12                  MR. MILLS: Yes, sir.

13                  COMMISSIONER CLAYTON: There was no  
14  call, no door hanger, no letter, nothing like that?

15                  MR. MILLS: That's correct, sir.

16                  COMMISSIONER CLAYTON: Now, was that  
17  during the storm?

18                  MR. MILLS: No, sir.

19                  COMMISSIONER CLAYTON: Was it during one  
20  of the outages when --

21                  MR. MILLS: No, sir.

22                  COMMISSIONER CLAYTON: What time of year  
23  would it have been?

24                  MR. MILLS: I would say it was in the  
25  spring of the year. And I will say this much: That --

1 on that occurrence was the first time that there was  
2 any survey that I'm aware of or any tree work, if they  
3 did any at all -- and I think they did a little, but  
4 not much back there.

5                   But when the power lines -- I mean, when  
6 Union Electric, they were there every two years. And  
7 whenever I would see them out there, I would go out  
8 there and have a discussion with them because I had one  
9 tree which they really butchered every time. I kind of  
10 hated to see them do it.

11                   And I usually -- sometimes what I could  
12 do in the discussion with them, I'll say, Look, just  
13 trim it back so much. And I said, I will keep an eye  
14 on it and I will keep it trimmed. And that's basically  
15 what I did do. I realize that that was me taking  
16 responsibility for them and them trusting me to do it.  
17 But I did.

18                   I know that there's a proposal -- or at  
19 least I've heard AmerenUE complain recently to the  
20 effect that their easements limit them on how much tree  
21 trimming they can do because of the easement.

22                   I think that's nothing but a big  
23 smokescreen. Because if they have a tree that has the  
24 potential of falling into a power line, the least they  
25 could do is talk to that owner and ask them, we realize

1 -- or state to them, We realize this is not on our  
2 easement, but it really poses a potential hazard here  
3 and potential damage and the possibility you may lose  
4 power. Can we do something about it? And I don't  
5 think that's anything that Ameren has ever done. Thank  
6 you.

7 COMMISSIONER GAW: Just to clarify.  
8 That was this spring, just in 2006, this last spring?

9 MR. MILLS: Yes, sir. To the best of my  
10 knowledge, that was this spring.

11 COMMISSIONER GAW: Okay. That's --  
12 thank you.

13 MR. MILLS: And I do want to thank you  
14 folks for being here and having these hearings because  
15 this is -- to me, this is the only real way you're  
16 going to find out what's going on. Thank you.

17 I do want to say one thing. I know I've  
18 heard a number of people complain about -- I guess I do  
19 have to stand up in defense of AmerenUE. And that is,  
20 I understand that they went around and their efforts  
21 were directed to what's getting the largest number of  
22 people online as soon as possible. I think that is a  
23 -- was a good approach, and I can't condemn them for  
24 that.

25 JUDGE VOSS: Thank you. Is there anyone

1    else that has not yet had a chance to make comments or  
2    testify?  This will conclude the public hearing.  Thank  
3    you.

4                               (WHEREIN, the hearing was concluded at  
5    3:30 p.m.)

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## 1 CERTIFICATE OF REPORTER

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3 STATE OF MISSOURI )

4 ) SS.

5 COUNTY OF JEFFERSON )

6

7 I, Wanda L. Greenlee, a Certified Court  
8 Reporter and a Notary Public within and for the State  
9 of Missouri, do hereby certify that foregoing hearing  
10 was taken by me to the best of my ability and  
11 thereafter reduced to typewriting under my direction;  
12 that I am neither counsel for, related to, nor employed  
13 by any of the parties to the action in which this  
14 hearing was taken, and further that I am not a relative  
15 or employee of any attorney or counsel employed by the  
16 parties thereto, nor financially or otherwise  
17 interested in the outcome of the action.

18

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21 Wanda L. Greenlee, CCR

22

23

24 My commission expires May 3, 2010.

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