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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
TRANSCRIPT OF PROCEEDINGS
Local Public Hearing
June 18, 2014
Branson, Missouri

In The Matter of Summit)
Natural Gas of Missouri)
Inc.'s Filing of Revised)
Tariffs To Increase Its) File No. GR-2014-0086
Annual Revenues for)
Natural Gas Service,)

PUBLIC HEARING
June 18, 2014

DANIEL JORDAN, Presiding
SENIOR REGULATORY LAW JUDGE
SCOTT T. RUPP,
COMMISSIONER

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A P P E A R A N C E S

For Summit Natural Gas:

Ms. Diana Carter
Brydon, Swearengen & England P.C.
312 East Capitol Avenue
Jefferson City, Missouri 65801
573-635-7166 dcarter@brydonlaw.com

Public Counsel:

Mr. Marc D. Poston
Deputy Public Counsel
Department of Economic Development
Office of the Public Counsel
Governor Office Building, Suite 650
200 Madison Street
Jefferson City, Missouri 65102
573-751-5558 marc.poston@ded.mo.gov

Public Service Commission Staff:

Ms. Whitney Hampton
Mr. Gregg Ochoa
Missouri Public Service Commission
Governor Office Building
200 Madison Street
Jefferson City, Missouri 65102
573-751-6651
whitney.hampton@psc.mo.gov
gregg.ochoa@psc.mo.gov

SPEAKERS:

Ms. Raeanne Presley, Branson Mayor
Mr. Rick Ziegenfuss, Hollister City Administrator
Mr. Gail Meyer
Mr. Jay Wilson
Mr. Ron Herschend

Also Present: MEMBERS OF THE PUBLIC

Video recording: Mr. Gregg Ochoa

REPORTED BY: Christine Richele, CSR, RPR, CCR, CRR
MIDWEST LITIGATION SERVICES
2422 East Madrid Avenue
Springfield, MO 65804
Tel: 417-877-9700
Fax: 417-877-9704

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

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3 JUDGE JORDAN: Okay. Let's go on the
4 record. The Commission is calling the action in File
5 No. GR-2014-0086, that is general rate action of
6 Summit Natural Gas of Missouri, Incorporated, which
7 includes a request for a rate increase.

8 This is the Missouri Public Service Commission's
9 local public hearing on that action. I am Daniel
10 Jordan. I'm the Regulatory Law Judge assigned to this
11 action. I will be conducting this proceeding.

12 With me today is Scott Rupp, Commissioner of the
13 Public Service Commission. Any opening remarks?

14 COMMISSIONER RUPP: I just wanted to
15 welcome everyone. Thanks for coming out to have your
16 opinions heard. My role is to be here to listen.
17 There are five Commissioners, but just because I'm the
18 only one here does not mean anything on the importance
19 of this issue. We have public hearings all over the
20 state. We have hearings in Jefferson City. And so we
21 always try to have at least one Commissioner here. So
22 it is on the record. We will have a transcript which
23 we all can review, or we can also sit down and I will
24 share your comments with the other Commissioners.

25 One thing I do like to remind people is, I am not

1 allowed to answer any questions. So I may ask you a
2 question to clarify something that you have said, but
3 I am here strictly just to listen and I am not allowed
4 to respond to any questions. Other than that, thank
5 you very much for your input.

6 JUDGE JORDAN: Thank you, sir. And now
7 let's have entries of appearance. We'll start with
8 the Applicant, Summit Natural Gas of Missouri,
9 Incorporated.

10 MS. CARTER: Diana Carter with Brydon,
11 Swearngen & England for Summit Natural Gas of
12 Missouri.

13 JUDGE JORDAN: Thank you. And for Staff.

14 MS. HAMPTON: Whitney Hampton, Missouri
15 Public Service Commission, 200 Madison Street,
16 Jefferson City, Missouri 65102.

17 JUDGE JORDAN: Thank you. And for the
18 Office of the Public Counsel.

19 MR. POSTON: Marc Poston for the Office of
20 the Public Counsel.

21 JUDGE JORDAN: Thank you. The purpose of
22 our proceeding is to hear testimony, and that will be
23 part of the official record that will be used to
24 determine this action. And when I say "testimony," I
25 do mean sworn testimony. I will administer an oath to

1 anyone who wishes to speak.

2 When I call the names from those who have signed
3 up to speak, when you hear your name -- it looks like
4 we have a podium. Is that functioning?

5 MR. OCHOA: Yes, Your Honor.

6 JUDGE JORDAN: Okay. Thank you. Step up
7 to the podium, use the microphone so everyone can
8 hear, speak clearly, tell the Commission what you want
9 us to hear, but do be concise out of respect for
10 everyone's time.

11 If you've made a remark and if you've said
12 something or learned something during the presentation
13 that preceded this hearing and you want the Commission
14 to know about it, definitely say it again so that it
15 will be on the record, because the Commission wants to
16 hear what you have to say.

17 On the other hand, if you simply agree with
18 something that someone else has said, you don't have
19 to repeat what they say. You can just say that you
20 endorse their opinion, and that will be fine. When
21 you're done making your statement, the parties or the
22 Commissioner or I might have a question or two for
23 clarification of your position.

24 And to get you started, I may ask you a few
25 questions like pertaining to spell your name or

1 something like that, or state what your perspective on
2 this is. And remember, too, that you can make public
3 writings and comments -- public comments in writing to
4 the Commission even when this is over, and so can your
5 neighbors if they didn't make it to this hearing.

6 Any questions about our procedure before I start
7 taking testimony?

8 I'm not seeing any, so I will begin with my list
9 of people who signed up to testify. I have two pages,
10 and it looks like I have five names signed up for
11 them. So I will begin with Raeanne Presley.

12 RAEANNE PRESLEY,
13 being first duly sworn by the Regulatory Law Judge,
14 testified:

15 JUDGE JORDAN: Thank you.

16 MAYOR PRESLEY: Thank you. Welcome, Judge
17 Jordan and Commissioner Rupp to Branson City Hall. I
18 am Raeanne Presley. I am the Mayor of Branson. I'm
19 joined this afternoon with Alderwoman Cris Bohinc and
20 Alderman Bob Simmons, who also serves on our Board of
21 Aldermen.

22 I do have a letter that I would like to extend to
23 the Commission. On behalf of our citizens and
24 business owners within the City of Branson, Missouri,
25 I would like to raise a voice of concern about the

1 proposed level of increase in the price of natural
2 gas.

3 It appears that much of the requested increase is
4 due to the installation of the distribution system in
5 our area. Before this installation took place, the
6 community was not given adequate notification that the
7 cost of this construction was not built into the
8 current rate structure. It was not clear that the
9 utility expected to recoup these expenses in future
10 years with rate increases.

11 I have learned, since, that this is a common
12 practice, but I must say that it was not made clear to
13 our community, I think neither to our citizens, nor to
14 our businesses, nor to our city staff.

15 Many of our resident households are already
16 feeling the effects of the current economic hardships
17 and the approval of the above-mentioned rate increase,
18 now 40 percent, will place additional financial stress
19 on our community residents, especially those on fixed
20 incomes.

21 We believe that this increase, if enacted, will
22 have unintended negative consequences to business in
23 small communities like ours. The cost of local
24 utilities is often a major factor in the
25 decision-making process when identifying a location

1 for a new business. Many of our existing businesses
2 have just completed the often-expensive transition to
3 natural gas from other heating sources, with the
4 anticipation that they would be saving money. Such a
5 dramatic increase in rates, now that the transition is
6 complete, may have the opposite result.

7 One example from our own budget is the regional
8 bio-solids drying facility at the Cooper Creek
9 Wastewater Plant, which is nearing completion. The
10 estimated annual cost to use natural gas for drying
11 operations at this facility was estimated to be
12 \$60,100. And if this increase is approved, that cost
13 will immediately jump to \$84,000.

14 This facility is only one of a half-dozen
15 facilities to be connected to natural gas in recent
16 years. We believe that the impact on our budget would
17 be an immediate increase of over \$50,000. I worry
18 that for some of our larger community facilities, such
19 as our Branson Schools, the Hospital, or the College
20 of the Ozarks, that this type of increase can
21 undermine the capacity to serve the public to a level
22 of service that they expect and deserve.

23 I appreciate your consideration and I appreciate
24 that you held this public hearing in Branson.

25 JUDGE JORDAN: Thank you for your

1 statement. Any questions from the Applicant, Summit?

2 MS. CARTER: No questions. Thank you.

3 JUDGE JORDAN: From the Staff?

4 MS. HAMPTON: No, thank you.

5 JUDGE JORDAN: From the Office of the
6 Public Counsel?

7 MR. POSTON: No questions.

8 JUDGE JORDAN: Commissioner, do you have
9 any questions of this witness?

10 Thank you very much.

11 MAYOR PRESLEY: Thank you.

12 JUDGE JORDAN: The next name on my list is
13 Rick Ziegenfuss, and I hope I pronounced that
14 correctly.

15 MR. ZIEGENFUSS: Judge Jordan, you did fine
16 on that name. Thank you for being here today.

17 JUDGE JORDAN: Please raise your right
18 hand.

19 RICK ZIEGENFUSS,
20 being first duly sworn by the Regulatory Law Judge,
21 testified:

22 JUDGE JORDAN: Thank you.

23 MR. ZIEGENFUSS: I'm the City Administrator
24 for the City of Hollister. I'm here to speak on
25 behalf of our current ratepayers and our future

1 ratepayers for the City.

2 I'm also here representing one of the franchise
3 grantors, the City of Hollister, for the natural gas
4 franchise in our City.

5 I have several comments here. One is that the
6 material that is passed out to the ratepayers,
7 suggesting that this is a 26 percent increase, is very
8 difficult to sort through and requires some
9 mathematics there to figure out that our rate increase
10 really isn't 26 percent. It's actually 40 percent.
11 And so that's going to be a difficult pill to swallow
12 on those types of things with a customer charge
13 increase of a hundred percent and a commodity charge
14 increase of 39.8 percent or 40 percent. So that's a
15 difficult situation.

16 I would like to just recap for the Bench the
17 history of natural gas in our area. In 2007, we
18 entered into a franchise agreement in Hollister with
19 Alliance Gas Energy, and somehow or another Alliance
20 Gas Energy was represented after that by a company
21 called Sendero.

22 Sendero, one of the principals there, Randal
23 Maffett, then all of a sudden became the executive
24 vice president of Southern Missouri Natural Gas, and
25 we wound up with Southern Missouri Natural Gas.

1 That's interesting how all of that happened. And then
2 at some point in time we became Summit.

3 Now, in the transition of all those companies,
4 it's difficult for me to believe that all these
5 capital expenses just continued to roll and nobody
6 addressed them, and then all of a sudden in January of
7 this year, we need to have a 40 percent rate increase
8 to address these, that went through three companies --
9 four companies in a course of seven years.

10 So that seems extraordinary to me and smacks a
11 little bit of a bailout by ratepayers of things that
12 have rolled through corporate over and over and over
13 again. And that's a difficult situation for a small
14 community that has a service sector economy, and
15 supports with what we can, and actively and
16 whole-heartedly supported the switch to natural gas.

17 One of the things that I would hope is that us as
18 a community, our ratepayers, the people that I talked
19 to you about earlier, depend on your Commission as the
20 honest broker here, to protect our interests for the
21 ratepayers.

22 As I see Staff's recommendation at 10 percent of
23 return on investment and 7 percent on return on
24 investment, I will speak for the City of Hollister and
25 our taxpayers and our ratepayers, we would be

1 extremely, extremely pleased to receive those types of
2 return on investment, when we invested in a company
3 that, as was pointed out by Staff, there is no
4 insurance of a return on investment. You've got
5 Staff's recommending these types of capital
6 improvements be paid for by ratepayers with a return
7 on investment of 7 to 10 percent.

8 The City of Hollister -- I don't want to be
9 confused. The City of Hollister sees natural gas as
10 part of our future, and we want to remain a viable
11 partner that supports Summit Natural Gas. We just
12 believe that these levels of return on investment,
13 short-term recovery of these capital costs are not in
14 the best interest, short term or long term, of our
15 ratepayers, of future ratepayers that are looking at
16 investing in our area, to recover these costs.

17 Investors are risk-takers, and it may be such a
18 thing that they can't recover those levels of return
19 on investment in the short term. I would ask the
20 Commission's support in doing that.

21 One other fact that I think is meritorious here, I
22 work in the public sector every day, so I'm speaking
23 about myself along with others. We've created a
24 system that we just feel is prudent here to mention, a
25 factor and an issue, people that request rates feel

1 like there may be a need to inflate those because they
2 expect to have those diminished or reviewed to some
3 degree.

4 I'm hoping that that isn't the case here. That in
5 knowledge of reviewing rate cases over the years,
6 there's been a high request -- we have franchise
7 providers for electricity, we have franchise providers
8 for the cable TV, those types of things. We have all
9 of those. We're familiar with this. They request
10 high; they expect to be reduced some.

11 I hope that's the case here. I plead for the
12 Commission to vastly reduce those return on
13 investments and not permit a 40 percent rate increase
14 in the Branson service area.

15 I thank you for your time.

16 JUDGE JORDAN: Thank you. Any questions
17 for this witness from the utility?

18 MS. CARTER: Sir, I have one question. You
19 indicated at the beginning that you were speaking on
20 behalf of one other business, perhaps. What was the
21 name of that?

22 MR. ZIEGENFUSS: Actually I'm speaking on
23 behalf of the City of Hollister. The City of
24 Hollister represents our ratepayers, and we represent
25 ourselves as the franchise grantor for the natural gas

1 franchise for the City of Hollister.

2 MS. CARTER: Thank you.

3 MR. ZIEGENFUSS: That's the two organiza --
4 or the two hats that I'm wearing at the moment.

5 MS. CARTER: Thank you.

6 JUDGE JORDAN: Anything from the Staff?

7 MS. HAMPTON: No questions.

8 JUDGE JORDAN: Office of the Public
9 Counsel?

10 MR. POSTON: No questions.

11 JUDGE JORDAN: And Commissioner Rupp?

12 And none from me, either.

13 The next name on my list is Gail Meyer.

14 Please raise your right hand.

15 GAIL MEYER,
16 being first duly sworn by the Regulatory Law Judge,
17 testified:

18 JUDGE JORDAN: Thank you.

19 MR. MEYER: Thank you. Welcome to Branson.

20 And at first, I should probably tell you that I have a
21 degree in chemical and petroleum refining engineering,
22 and I used to be in charge of the two world's largest
23 polyethylene reactors outside New Orleans. So I do
24 have some -- more than a cursory understanding of
25 natural gas transport.

1 But today I am in the hotel business in Branson,
2 Missouri, with my family. And so what I would tell
3 you is that I understand that you must have viable
4 public utilities, and they do deserve the ability to
5 have some funds to be able to expand and run their
6 business. And I did the negotiation with them on our
7 businesses, several commercial businesses, and they
8 were cordial and pleasant and I believe forthright in
9 those negotiations.

10 And so what I would tell you is I did my best to
11 look through the information that I had, and obviously
12 it's not all public information. And there's two
13 things that struck me. First of all, when we did the
14 negotiation, they told me how much money they were
15 going to spend on the infrastructure in Branson, and
16 it was between 50 and 52 million dollars. So I'll let
17 you factor that into what actually happened. But they
18 knew that at that time and we actually did the
19 negotiation in February of 2011. That's when we
20 started. So they knew that.

21 And the other thing is that obviously depreciation
22 is taken into account when you get to book value, and
23 many times the depreciation schedule doesn't
24 necessarily match the actual depreciation of the
25 equipment or the replacement of the equipment, and

1 that also needs to be taken into account.

2 So what really happens is the public gets involved
3 in trying to pay for the business decision of the
4 public utility, and that can be a good decision or
5 that can be a poor decision. In this case, I will
6 tell you it's perplexing. And you have more
7 information, so you will be able to determine whether
8 it is indeed -- was indeed a good business decision or
9 a poor decision.

10 But you are the buffer that allows us to make sure
11 that they are indeed efficient in their operations.
12 And, so, based on what I've seen so far, what I would
13 recommend to you is -- and also there was a
14 substantial amount of salesmanship. I went back
15 through our information. And, actually, they gave us
16 their -- what they would call their general service
17 rate fees, but there was no notification that those
18 could change.

19 In some cases they wrote down what their cubic
20 feet price would be, related to propane, on my
21 documents. And so there was a substantial amount of
22 salesmanship.

23 What I would do in this case, since you are that
24 stopgap and the buffer to help us, as the public, is I
25 would go to the lower end of the return on investment

1 that you would recommend. And at least at this point
2 in time require them to show you that they can operate
3 efficiently.

4 And the reason that -- the real one compelling
5 argument that would make me say that is, they knew how
6 much it was going to cost when they came here and did
7 the negotiation in '11.

8 So the increased cost justification, I'm -- I --
9 it would be perplexing as to how they could tell me
10 what it was going to cost, and then go back and talk
11 about increased costs.

12 Thank you.

13 JUDGE JORDAN: Thank you. Any questions
14 for this witness from Summit Natural Gas?

15 MS. CARTER: No questions. Thank you.

16 JUDGE JORDAN: From Staff?

17 MS. HAMPTON: No questions.

18 JUDGE JORDAN: From the Office of the
19 Public Counsel?

20 MR. POSTON: No, thank you.

21 JUDGE JORDAN: Commissioner, do you have
22 any questions for this witness?

23 And I have none for you. Thank you.

24 The next name on my list is Jay Wilson.

25 Please raise your right hand.

1 JAY WILSON,
2 being first duly sworn by the Regulatory Law Judge,
3 testified:

4 JUDGE JORDAN: Thank you, go ahead.

5 MR. WILSON: I am Jay Wilson. I'm here on
6 two counts. I'm the general manager of two hotels in
7 town, represent about 377 rooms. And then I am also
8 here on behalf of the Board of Directors for the
9 Branson Lakes Area Lodging Association, which
10 encompasses some of the hotel owners and managers that
11 are in Branson. And I'm just here from a business
12 perspective to tell you that 40 percent is too much.

13 When I look at what we spent last year and I add
14 40 percent to that, a \$10,000 increase for our hotel
15 on any level is going to make it a burden on us. I
16 cannot raise my rates 40 percent in order to cover
17 that to charge extra to guests coming to Branson.

18 The business environment is a -- it has a future
19 here, but it is as tough to do business here as it is
20 anywhere in the country, I think. And I think that
21 that amount is out of -- it's just going to make it
22 terribly difficult.

23 And the lodging association which I represent, and
24 to speak on their behalf from the board members, of
25 course we'll be writing a letter and submitting it to

1 you, as well, but the hotel owners as we sat in our
2 last board meeting and discussed it, from my simple
3 perspective, it seems unfair. It's just quite that
4 simple.

5 Thank you.

6 JUDGE JORDAN: Thank you. Any questions
7 for this witness from the utility?

8 MS. CARTER: No questions. Thank you.

9 JUDGE JORDAN: Staff?

10 MS. HAMPTON: No questions.

11 JUDGE JORDAN: Office of the Public
12 Counsel?

13 MR. POSTON: I did have a question that I
14 wanted to ask. The \$10,000 amount you gave, is that
15 for both of the hotels?

16 MR. WILSON: No.

17 MR. POSTON: That's just on one hotel?

18 MR. WILSON: Mm-hmm.

19 MR. POSTON: Is that an annual?

20 MR. WILSON: Correct.

21 MR. POSTON: That's an annual?

22 MR. WILSON: Yes.

23 MR. POSTON: Thank you.

24 JUDGE JORDAN: Commissioner, any questions
25 for this witness?

1 I have no questions for you. Thank you.

2 The next name on my list is Ron Herschend.

3 MR. HERSCHEMEND: Thank you. Welcome,
4 gentlemen.

5 JUDGE JORDAN: Thank you very much. Please
6 raise your right hand.

7 RON HERSCHEMEND,
8 being first duly sworn by the Regulatory Law Judge,
9 testified:

10 MR. HERSCHEMEND: I appreciate -- it's my
11 first public utility hearing, so I appreciate the
12 opportunity to come. I'm here today to represent the
13 folks I know in Taney County, the citizens. I don't
14 have natural gas, I don't have propane, but I have a
15 real concern when I see the cost of service, public
16 service going up \$324 a year. That's \$30 a month.

17 My previous job was in a -- was at the County as
18 the Western Taney County Commissioner, and for -- for
19 probably six or seven years, we have had sewer money,
20 sewer utility money to put sewer into homes, and
21 haven't because we're concerned and have seen that
22 people could not pay a \$15 and \$20 monthly charge.
23 The cost of, you know, ground septic is something
24 that's cheap, and they cannot be put in a position to
25 feed their family or flush the toilet.

1 In the case of natural gas if I hooked up to
2 natural gas at no cost, which was offered I heard
3 earlier, and now I'm given a choice to pay 40 percent
4 more or \$30 a month, or switch back at an expense to
5 the homeowner, I don't know that we're leaving folks
6 in a very good position.

7 And \$30 a month isn't a lot of money to most of
8 us, but \$30 a month is the difference between feeding
9 a family, buying laundry detergent, and paying
10 hospital bills for the citizens of our County. And I
11 just would appreciate very, very much you all really
12 looking at the economic conditions here, if you have a
13 question about that.

14 I do want to go on record as saying I understand
15 from the previous meeting, I did ask if folks would be
16 held to a contract or would be allowed to switch back.
17 And I was told that they could switch back to propane
18 if they were on propane previously, but it would be at
19 their expense. And I just want it noted that we were
20 assured that they would at least have an option.
21 That's it.

22 JUDGE JORDAN: Thank you. Questions for
23 this witness from Summit Natural Gas?

24 MS. CARTER: No questions. Thank you.

25 JUDGE JORDAN: Staff?

1 MS. HAMPTON: No questions.

2 JUDGE JORDAN: Office of the Public
3 Counsel?

4 MR. POSTON: No questions.

5 JUDGE JORDAN: Commissioner, any questions
6 for this witness?

7 Thank you.

8 MR. HERSCHEID: Thank you.

9 JUDGE JORDAN: That was the last name on my
10 list, but as long as we're here and we're on the
11 record, this is a good time to bring up issues of
12 service and billing. As you probably gather, Staff
13 works very hard to do a lot of things. Staff makes
14 sure that the service is safe and adequate, but they
15 can't be everywhere all the time.

16 So if anyone has anything they'd like the
17 Commission to know about that, this would be a good
18 time to do it. Anyone? No, not seeing anything.

19 I'm not seeing anyone. So, then I will -- on
20 behalf of the Commission, I thank everyone for
21 attending and helping our process work better. This
22 is the information that our process is all about.
23 With that, we will adjourn, go off the record. And
24 thank you very much.

25 (Local Public Hearing concluded at 1:02 p.m.)

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REPORTER'S CERTIFICATE

STATE OF MISSOURI)

) ss.

COUNTY OF GREENE)

I, Christine Richele, Certified Shorthand Reporter, Registered Professional Reporter, Certified Court Reporter #385, Certified Realtime Reporter (Mo), within and for the State of Missouri, do hereby certify that I was personally present at the public hearing as set forth in the caption sheet hereof; that I then and there took down in stenotype the proceedings had at said time, which were thereafter transcribed by me and is a true and accurate reproduction of the proceedings, set forth in the preceding pages.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on June 20, 2014.

Christine Richele, CSR, CRR, CCR #385
Registered Professional Reporter

PUBLIC HEARING 6/18/2014

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