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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS  
Local Public Hearing  
July 2, 2014  
Kirksville, Missouri  
Volume 9

In the Matter of Liberty )  
Utilities (Midstates )  
Natural Gas) Corp. d/b/a )  
Liberty Utilities' Tariff )  
Revisions Designed to ) File No. GR-2014-0152  
Implement a General Rate )  
Increase for Natural Gas )  
Service in the Missouri )  
Service Areas of the )  
Company )

RONALD D. PRIDGIN, Presiding,  
SENIOR REGULATORY LAW JUDGE.  
SCOTT T. RUPP,  
COMMISSIONER.

REPORTED BY:  
KELLENE K. FEDDERSEN, CSR, RPR, CCR NO. 838  
MIDWEST LITIGATION SERVICES

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

2 (WHEREUPON, the local public hearing  
3 began at 6:12 p.m.)

4 JUDGE PRIDGIN: Good evening and  
5 welcome to tonight's hearing in Kirksville for  
6 Liberty Utilities. This is Case No. GR-2014-0152.  
7 I'm Ron Pridgin. I am one of the judges with the  
8 Commission, and I represent the Commissioners  
9 tonight. There are five of them. They send their  
10 greetings and their thanks for attending tonight's  
11 local public hearing.

12 This will be an official hearing of  
13 the Missouri Public Service Commission, and if you  
14 wish to testify, your statements and testimony must  
15 be given under oath. We have a court reporter  
16 here, so if you wish to testify, I will ask that  
17 you be sworn in, that you spell your name for the  
18 court reporter so she can get it in the record  
19 correctly, and I'll ask if you are a customer of  
20 Liberty Utilities, and then I'll ask if you have  
21 any statements for the Commission.

22 The purpose of the rest of this  
23 hearing is to hear from you. Previously I think  
24 you had the chance to meet with the company  
25 representatives and talk with Staff and Public

1 Counsel. And so the reason for the rest of the  
2 hearing is to give you a chance to testify, and if  
3 you do, the Commissioners will have a chance to  
4 read all of your remarks.

5 If there is somebody who wishes to  
6 testify but does not wish to give an oath, please  
7 let me know and I will ask that your testimony be  
8 affirmed instead of sworn.

9 Does anyone have any questions? Yes,  
10 ma'am. Please go ahead.

11 MS. MORTON: I do. Have we just  
12 skipped the question and answer discussion period  
13 and going right into giving testimony, or where are  
14 we on this?

15 JUDGE PRIDGIN: I understood we were  
16 ready to take testimony. So if I'm mistaken,  
17 somebody please let me know.

18 MS. MORTON: Well, I missed the boat.

19 JUDGE PRIDGIN: I'm sorry. I  
20 misunderstood.

21 MS. MORTON: Because I have some  
22 questions, and perhaps I was asleep at the switch  
23 and didn't raise my hand soon enough.

24 JUDGE PRIDGIN: All right. If you  
25 want to testify, I can take your testimony, and

1 then certainly people can talk to you afterwards.  
2 We have representatives from the company and from  
3 Staff and from Public Counsel who would be glad to  
4 talk to you.

5 Does anyone else have any further  
6 questions? All right. Let me get entries of  
7 appearance from counsel if I could, please,  
8 beginning with the company.

9 MR. FISCHER: Judge, let the record  
10 reflect the appearance of James M. Fischer. My law  
11 firm is Fischer & Dority, PC. Our address is  
12 101 Madison Street, Suite 400, Jefferson City,  
13 Missouri 65101. And if the court reporter needs a  
14 written entry, I have that, too.

15 JUDGE PRIDGIN: Mr. Fischer, thank  
16 you. On behalf of the Staff of the Commission,  
17 please.

18 MS. JONES: On behalf of the Staff of  
19 the Missouri Public Service Commission, Akayla  
20 Jones, P.O. Box 360, Jefferson City, Missouri  
21 65102.

22 JUDGE PRIDGIN: Ms. Jones, thank you.  
23 On behalf of the Office of the Public Counsel,  
24 please.

25 MR. POSTON: Marc Poston appearing

1 for the Office of the Public Counsel.

2 JUDGE PRIDGIN: Mr. Poston, thank  
3 you. Does anyone else wish to enter an appearance?

4 All right. Does anyone wish to  
5 testify?

6 MS. LIMESTALL: Does that include the  
7 public?

8 JUDGE PRIDGIN: Absolutely. That's  
9 the whole point. Yes, ma'am. Please come forward.  
10 If you'll raise your right hand to be sworn,  
11 please.

12 (Witness sworn.)

13 JUDGE PRIDGIN: Thank you so much.  
14 If you would, please state your name and spell it  
15 for the court reporter.

16 MS. LIMESTALL: Susan Limestall,  
17 S-u-s-a-n, L-i-m-e-s-t-a-l-l.

18 JUDGE PRIDGIN: And are you a  
19 customer of Liberty Utilities?

20 MS. LIMESTALL: I am a customer.

21 JUDGE PRIDGIN: All right. And do  
22 you have any statement for the Commissioners?

23 MS. LIMESTALL: I do. I am a  
24 customer. I think I get good service, so that's a  
25 positive for them. I think the timing of this is

1 rather interesting. It may be it's very strategic  
2 on their part to file their rate increase such that  
3 the Public Service Commission's hands are tied to  
4 have these hearings during the summer, which is an  
5 awfully busy time.

6 I've been in this room before for  
7 other hearings, primarily for another utility, and  
8 it's usually quite well attended. Here there's  
9 maybe one or two people from the public in  
10 attendance.

11 So I think that's rather strategic on  
12 their part to have these hearings at times when  
13 there's not going to be much public participation.  
14 Families are busy. They're on vacation. They've  
15 got their kids' sports events. University traffic  
16 is slow. Faculty and staff are gone for a good  
17 part.

18 So I think that is a disservice for  
19 the public to be able to be in attendance and be  
20 able to comment upon the good or the bad by the  
21 utility, and I hope the Public Service Commission  
22 will take that into consideration.

23 JUDGE PRIDGIN: All right. Thank  
24 you. Let me see. Commissioner Rupp just joined  
25 us. Commissioner, did you have any questions?

1 COMMISSIONER RUPP: No.

2 JUDGE PRIDGIN: Thank you. I don't  
3 have any questions. Thank you for your testimony.

4 Does anyone else wish to testify?

5 MS. MORTON: I will.

6 JUDGE PRIDGIN: Yes, ma'am. Please  
7 come forward. If you'll raise your right hand to  
8 be sworn, please.

9 (Witness sworn.)

10 JUDGE PRIDGIN: Thank you so much.  
11 If you would, please state your name and spell it  
12 for the court reporter.

13 MS. MORTON: Yes. Jeanne,  
14 J-e-a-n-n-e, Morton, M-o-r-t-o-n.

15 JUDGE PRIDGIN: And are you a  
16 customer of Liberty Utilities?

17 MS. MORTON: I am.

18 JUDGE PRIDGIN: All right. Do you  
19 have a statement for the Commission?

20 MS. MORTON: I have several. First  
21 of all, I'd like to know -- and if I'm out of place  
22 here on any of these, please let me know -- is  
23 Liberty Utilities a regional monopoly?

24 JUDGE PRIDGIN: I hope these are  
25 rhetorical questions. We won't be answering

1 questions during this time. You're welcome to ask  
2 them later.

3 MS. MORTON: Okay. I'm good. All  
4 right. Let's go on the fact that Liberty Utilities  
5 is a regional monopoly. If so, there is a cap on  
6 its profits of 9.8 percent, and anything that  
7 exceeds that is not legal. And it means that  
8 Liberty or Ameren or American Water or whatever the  
9 utility company in the state of Missouri is  
10 overcharging their ratepayers.

11 So I'd like to know if someone could  
12 tell me if Liberty Utilities intends to, when this  
13 bill goes through the Legislature -- and I don't  
14 know where it is. I tried to find out. I tried to  
15 call Dan Brown this afternoon and couldn't reach  
16 him. But he has sponsored Senate Bill 944, the  
17 Utility Transparency and Fairness Act, which would  
18 make all earnings of utility companies public, and  
19 that utility companies would indeed have to  
20 publicize their quarterly earnings.

21 Does Liberty have any intention of  
22 doing that? I guess I can't ask a question. I'd  
23 like to get some feedback from Liberty about that.

24 JUDGE PRIDGIN: And I would certainly  
25 encourage you to talk to Liberty after we're done

1 here.

2 MS. MORTON: And I know that their  
3 earnings are set by the PUC. I also know that the  
4 PUC is very well taken care of by the utility  
5 companies, all of them. And it is not in the favor  
6 of the taxpayers or the ratepayers whose interests  
7 PUC champions. It's that of the utility companies  
8 because the utility companies treat them very well.

9 The core purpose of the PUC is to  
10 balance the impact of rate increases on both sides,  
11 not just increasing the profits of the utility  
12 companies, but also being mindful of the consumers  
13 and, in particular, the economic conditions of the  
14 state in which these rates are being raised.

15 So I think that is probably all I  
16 would have to say, but I would like to know if  
17 there is any feedback from anyone here who knows  
18 anything about the Utility Transparency and  
19 Fairness Act and how the Public Utilities  
20 Commission feels about that. I rather think they  
21 don't like it, but then I haven't heard from them.  
22 And that would be all I'd have to say.

23 JUDGE PRIDGIN: Ms. Morton, thank  
24 you. Commissioner Rupp, did you have any questions  
25 for her?

1 COMMISSIONER RUPP: No.

2 JUDGE PRIDGIN: Ms. Morton, thank you  
3 for your testimony. I would encourage you to speak  
4 to company representatives afterwards.

5 Does anyone else wish to testify?

6 I'm not seeing any volunteers. Anything from  
7 counsel in closing? Commissioner Rupp, any closing  
8 remarks?

9 COMMISSIONER RUPP: Just thank you  
10 for being here. And just to clarify, we're not  
11 able to answer questions at this time because it  
12 could be perceived that we would be prejudging the  
13 case. So what we do is we're here just to listen  
14 and take everything.

15 Plus there is a transcript being  
16 typed. All the other Commissioners that couldn't  
17 be here today will read that transcript. We'll  
18 take into consideration all the evidence, including  
19 the testimony here, and then we will be making a  
20 finding of fact later on down the road.

21 But we are not allowed to answer  
22 questions at this time. You do have the Office of  
23 Public Counsel which is here tonight, which is the  
24 advocate for the ratepayer, and also the company is  
25 here. If you have any questions for either of

1 those, they would be able to respond to some  
2 questions and maybe in some limited form from the  
3 Office of the Public Counsel.

4 But thank you for being here, and we  
5 will share all your comments with my fellow  
6 Commissioners, and we will be looking at this very  
7 closely.

8 JUDGE PRIDGIN: Commissioner, thank  
9 you. And I would simply like to thank everyone for  
10 attending this evening and thank you for your  
11 testimony and for your time.

12 That concludes today's local public  
13 hearing in Case No. GR-2014-0152. Thank you. We  
14 are off the record.

15 (WHEREUPON, the local public hearing  
16 concluded at 6:23 p.m.)

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LOCAL PUBLIC HEARING 7/2/2014

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<p><b>legal</b> 8:7  <b>Legislature</b> 8:13  <b>Let's</b> 8:4  <b>Liberty</b> 1:12,13  2:6,20 5:19  7:16,23 8:4,8  8:12,21,23,25  <b>Limestall</b> 5:6,16  5:16,20,23  <b>limited</b> 11:2  <b>listen</b> 10:13  <b>Litigation</b> 1:24  12:7  <b>local</b> 1:7 2:2,11  11:12,15  <b>looking</b> 11:6  <b>L-i-m-e-s-t-a-l-l</b>  5:17</p> <hr/> <p style="text-align: center;"><b>M</b></p> <p><b>M</b> 4:10  <b>Madison</b> 4:12  <b>making</b> 10:19  <b>Marc</b> 4:25  <b>Matter</b> 1:12  <b>ma'am</b> 3:10 5:9  7:6  <b>means</b> 8:7  <b>meet</b> 2:24  <b>Midstates</b> 1:12  <b>Midwest</b> 1:24  12:6  <b>mindful</b> 9:12  <b>missed</b> 3:18  <b>Missouri</b> 1:1,9  1:15 2:13 4:13  4:19,20 8:9  12:3,16  <b>mistaken</b> 3:16  <b>misunderstood</b>  3:20  <b>monopoly</b> 7:23  8:5  <b>Morton</b> 3:11,18  3:21 7:5,13,14  7:17,20 8:3 9:2  9:23 10:2</p>	<p><b>M-o-r-t-o-n</b> 7:14</p> <hr/> <p style="text-align: center;"><b>N</b></p> <p><b>N</b> 2:1  <b>name</b> 2:17 5:14  7:11  <b>Natural</b> 1:13,15  <b>needs</b> 4:13  <b>notes</b> 12:13</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p><b>O</b> 2:1  <b>oath</b> 2:15 3:6  <b>office</b> 4:23 5:1  10:22 11:3  12:15  <b>official</b> 2:12  <b>Okay</b> 8:3  <b>overcharging</b>  8:10</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>P</b> 2:1  <b>part</b> 6:2,12,17  <b>participation</b>  6:13  <b>particular</b> 9:13  <b>PC</b> 4:11  <b>people</b> 4:1 6:9  <b>perceived</b> 10:12  <b>percent</b> 8:6  <b>period</b> 3:12  <b>personally</b> 12:8  <b>place</b> 7:21 12:9  12:14  <b>please</b> 3:6,10,17  4:7,17,24 5:9  5:11,14 7:6,8  7:11,22  <b>Plus</b> 10:15  <b>point</b> 5:9  <b>positive</b> 5:25  <b>Poston</b> 4:25,25  5:2  <b>prejudging</b> 10:12  <b>present</b> 12:8  <b>Presiding</b> 1:18</p>	<p><b>Previously</b> 2:23  <b>Pridgin</b> 1:18 2:4  2:7 3:15,19,24  4:15,22 5:2,8  5:13,18,21 6:23  7:2,6,10,15,18  7:24 8:24 9:23  10:2 11:8  <b>primarily</b> 6:7  <b>probably</b> 9:15  <b>proceedings</b> 1:6  12:8,11  <b>profits</b> 8:6 9:11  <b>public</b> 1:2,7 2:2  2:11,13,25 4:3  4:19,23 5:1,7  6:3,9,13,19,21  8:18 9:19 10:23  11:3,12,15  <b>publicize</b> 8:20  <b>PUC</b> 9:3,4,7,9  <b>purpose</b> 2:22 9:9  <b>p.m</b> 2:3 11:16  <b>P.O</b> 4:20</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <p><b>quarterly</b> 8:20  <b>question</b> 3:12  8:22  <b>questions</b> 3:9,22  4:6 6:25 7:3,25  8:1 9:24 10:11  10:22,25 11:2  <b>quite</b> 6:8</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p><b>R</b> 2:1 12:2  <b>raise</b> 3:23 5:10  7:7  <b>raised</b> 9:14  <b>rate</b> 1:14 6:2  9:10  <b>ratepayer</b> 10:24  <b>ratepayers</b> 8:10  9:6  <b>rates</b> 9:14  <b>reach</b> 8:15</p>	<p><b>read</b> 3:4 10:17  <b>ready</b> 3:16  <b>reason</b> 3:1  <b>record</b> 2:18 4:9  11:14  <b>reflect</b> 4:10  <b>regional</b> 7:23 8:5  <b>REGULATORY</b>  1:19  <b>remarks</b> 3:4 10:8  <b>REPORTED</b>  1:23  <b>reporter</b> 2:15,18  4:13 5:15 7:12  12:6  <b>represent</b> 2:8  <b>representatives</b>  2:25 4:2 10:4  <b>respond</b> 11:1  <b>rest</b> 2:22 3:1  <b>Revisions</b> 1:14  <b>rhetorical</b> 7:25  <b>right</b> 3:13,24 4:6  5:4,10,21 6:23  7:7,18 8:4  <b>road</b> 10:20  <b>Ron</b> 2:7  <b>RONALD</b> 1:18  <b>room</b> 6:6  <b>RPR</b> 1:24 12:18  <b>Rupp</b> 1:20 6:24  7:1 9:24 10:1,7  10:9</p> <hr/> <p style="text-align: center;"><b>S</b></p> <p><b>S</b> 2:1  <b>SCOTT</b> 1:20  <b>see</b> 6:24  <b>seeing</b> 10:6  <b>Senate</b> 8:16  <b>send</b> 2:9  <b>SENIOR</b> 1:19  <b>service</b> 1:2,15,16  2:13 4:19 5:24  6:3,21  <b>Services</b> 1:24  12:7</p>	<p><b>set</b> 9:3 12:9  <b>share</b> 11:5  <b>sheet</b> 12:10  <b>Shorthand</b> 12:6  <b>sides</b> 9:10  <b>simply</b> 11:9  <b>skipped</b> 3:12  <b>slow</b> 6:16  <b>somebody</b> 3:5,17  <b>soon</b> 3:23  <b>sorry</b> 3:19  <b>speak</b> 10:3  <b>spell</b> 2:17 5:14  7:11  <b>sponsored</b> 8:16  <b>sports</b> 6:15  <b>ss</b> 12:3  <b>staff</b> 2:25 4:3,16  4:18 6:16  <b>state</b> 1:1 5:14  7:11 8:9 9:14  12:3,16  <b>statement</b> 5:22  7:19  <b>statements</b> 2:14  2:21  <b>Stenotype</b> 12:11  12:13  <b>strategic</b> 6:1,11  <b>Street</b> 4:12  <b>Suite</b> 4:12  <b>summer</b> 6:4  <b>Susan</b> 5:16  <b>switch</b> 3:22  <b>sworn</b> 2:17 3:8  5:10,12 7:8,9  <b>S-u-s-a-n</b> 5:17</p> <hr/> <p style="text-align: center;"><b>T</b></p> <p><b>T</b> 1:20 12:2,2  <b>take</b> 3:16,25 6:22  10:14,18  <b>taken</b> 9:4  <b>talk</b> 2:25 4:1,4  8:25  <b>Tariff</b> 1:13  <b>taxpayers</b> 9:6</p>
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<p><b>tell</b> 8:12  <b>testify</b> 2:14,16  3:2,6,25 5:5 7:4  10:5  <b>testimony</b> 2:14  3:7,13,16,25  7:3 10:3,19  11:11  <b>thank</b> 4:15,22  5:2,13 6:23 7:2  7:3,10 9:23  10:2,9 11:4,8,9  11:10,13  <b>thanks</b> 2:10  <b>thereof</b> 12:10  <b>think</b> 2:23 5:24  5:25 6:11,18  9:15,20  <b>tied</b> 6:3  <b>time</b> 6:5 8:1  10:11,22 11:11  12:9,14  <b>times</b> 6:12  <b>timing</b> 5:25  <b>today</b> 10:17  <b>today's</b> 11:12  <b>tonight</b> 2:9 10:23  <b>tonight's</b> 2:5,10  <b>traffic</b> 6:15  <b>transcript</b> 1:6  10:15,17 12:13  <b>Transparency</b>  8:17 9:18  <b>treat</b> 9:8  <b>tried</b> 8:14,14  <b>true</b> 12:12  <b>two</b> 6:9  <b>typed</b> 10:16</p> <hr/> <p style="text-align: center;"><b>U</b></p> <p><b>understood</b> 3:15  <b>University</b> 6:15  <b>usually</b> 6:8  <b>Utilities</b> 1:12,13  2:6,20 5:19  7:16,23 8:4,12  9:19</p>	<p><b>utility</b> 6:7,21 8:9  8:17,18,19 9:4  9:7,8,11,18</p> <hr/> <p style="text-align: center;"><b>V</b></p> <p><b>vacation</b> 6:14  <b>Volume</b> 1:9  <b>volunteers</b> 10:6</p> <hr/> <p style="text-align: center;"><b>W</b></p> <p><b>want</b> 3:25  <b>Water</b> 8:8  <b>welcome</b> 2:5 8:1  <b>We'll</b> 10:17  <b>we're</b> 8:25 10:10  10:13  <b>wish</b> 2:14,16 3:6  5:3,4 7:4 10:5  <b>wishes</b> 3:5  <b>Witness</b> 5:12 7:9  <b>written</b> 4:14</p> <hr/> <p style="text-align: center;"><b>1</b></p> <p><b>101</b> 4:12</p> <hr/> <p style="text-align: center;"><b>2</b></p> <p><b>2</b> 1:8  <b>2014</b> 1:8</p> <hr/> <p style="text-align: center;"><b>3</b></p> <p><b>360</b> 4:20</p> <hr/> <p style="text-align: center;"><b>4</b></p> <p><b>400</b> 4:12</p> <hr/> <p style="text-align: center;"><b>6</b></p> <p><b>6:12</b> 2:3  <b>6:23</b> 11:16  <b>65101</b> 4:13  <b>65102</b> 4:21</p> <hr/> <p style="text-align: center;"><b>8</b></p> <p><b>838</b> 1:24</p> <hr/> <p style="text-align: center;"><b>9</b></p> <p><b>9</b> 1:9  <b>9.8</b> 8:6  <b>944</b> 8:16</p>			
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