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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS
Public Hearing

April 12, 2000
Lee's Summit, Missouri
Volume 6

In the Matter of an)
Investigation for the)
Purpose of Clarifying and)
Determining Certain Aspects)Case No.
Surrounding the Provisioning)TO-99-483
of Metropolitan Calling Area)
Service after the Passage and)
Implementation of the)
Telecommunications Act of 1996)

NANCY DIPPELL, Presiding,
SENIOR REGULATORY LAW JUDGE

HAROLD CRUMPTON
CONNIE MURRAY
ROBERT G. SCHEMENAUER,
COMMISSIONERS.

1 JUDGE DIPPELL: Okay. I think
2 we'll go ahead. If you guys want to
3 take a seat, we'll just go ahead and
4 get started. If somebody comes in,
5 we'll save a few minutes. You can't
6 hear me. I will try to speak up. We
7 can go ahead and go on the record.

8 My name is Nancy Dippell. I'm a
9 regulatory law judge with the Missouri
10 Public Service Commission. The
11 Missouri Public Service Commission has
12 set this time for a public hearing in
13 case number TO-99-483. The hearing
14 was ordered by the Commission and
15 notice of the hearing was sent by the
16 commission's information officer to
17 local newspapers and county
18 commissions. Prior to commencing the
19 hearing I want to give just a brief
20 explanation of the agency and
21 procedures to be followed. You may
22 have already heard some of this
23 information from our staff if you were
24 here for the educational portion. But
25 I'm just going to go ahead and give

1 you a little idea of how the procedure
2 will run tonight, and I will be the
3 person conducting the hearing.

4 The Missouri Public Service
5 Commission is a state agency which
6 regulates the rates charged by
7 investor-owned utility companies in
8 Missouri to ensure that those rates
9 are just and reasonable. The quality
10 of service and the degree of safety
11 employed in their operations are also
12 regulated by the Commission. The
13 Public Service Commission is made up
14 of five commissioners who are
15 appointed by the governor to hear and
16 decide these cases. Three of those
17 commissioners are here this evening,
18 and I would like to introduce them at
19 this time. They are Harold Crumpton
20 who is to my far right, Connie Murray
21 and Robert Schemenauer.

22 The Commission also employs a
23 staff of engineers, accountants,
24 attorneys, financial analysts and
25 other specialists in the field of

1 utility regulation and relies upon
2 their expertise. And some of those
3 individuals are here this evening and
4 they probably already introduced
5 themselves, so I'm not going to go
6 through the whole list. But I will
7 point out that some of the people who
8 might ask questions this evening of
9 the witnesses are the staff attorneys
10 who is Marc Poston and Julie Kardis
11 here in the second row. And also here
12 with us this evening is the Office of
13 the Public Counsel representative, Mr.
14 Mike Dandino at the far right. And
15 the Office of the Public Counsel's job
16 is to represent you, the public, here
17 at hearings in front of the
18 Commission. All of these individuals,
19 the staff of the Public Service
20 Commission, Office of the Public
21 Counsel and any of the telephone
22 company representatives who are here
23 tonight would be happy to answer any
24 questions they could after the hearing
25 if you have further questions.

1 Since this is an official hearing
2 of the Public Service Commission the
3 statement and testimony of witnesses
4 will be taken down by the court
5 reporter and will, therefore, be under
6 oath. These statements, your comments
7 are taken down by the court reporter
8 and put into the official record and
9 that way the commissioners who aren't
10 here tonight will be able to read your
11 comments and consider them as well as
12 they become a permanent part of the
13 record.

14 Our procedure this evening will
15 basically be that I will call the name
16 on the witness list that we passed
17 around and you can come forward and be
18 seated at the chair. I will swear you
19 in and you can give your comments to
20 the commissioners at that time. After
21 you've given comments I would ask you
22 to remain seated. I will ask Mr.
23 Dandino if he has questions that he
24 might like to ask to clarify things
25 that you may have said in your

1 testimony, and I may ask the staff
2 attorneys if they have questions and
3 the commissioners may also have some
4 questions they would like to ask just
5 to clarify some of your testimony and
6 get all of your comments.

7 We will have formal evidentiary
8 hearings in this matter which are
9 scheduled to begin on May 15th. Those
10 will be in the offices of the Public
11 Service Commission in Jefferson City.
12 Those hearings will be very much like
13 a trial which you might see in the
14 local courthouse. The staff of the
15 Missouri Service Commission, Office of
16 the Public Counsel and the various
17 telephone communications companies
18 will be presenting formal evidence at
19 that time. But tonight the companies
20 aren't on trial and the commissioners
21 are not necessarily here to answer
22 questions but rather they are here to
23 take your comments and get your input
24 in what's going on. So your comments
25 are very important to us and they will

1 be considered by the commissioners.
2 And again they will be taken down and
3 put into the formal record.

4 I think that's all I have to
5 start. So I would like to go ahead
6 and start with the first witness who
7 has signed, and that is Jerald Zornes.
8 Am I pronouncing that correctly?

9 JERALD ZORNES, being duly sworn in,
10 testified as follows:

11 JUDGE DIPPELL: Would you please
12 state your name for the court
13 reporter.

14 THE WITNESS: J E R A L D Z O R
15 N E S, 303 Northwest Ponderosa Street,
16 Lee's Summit 64064.

17 JUDGE DIPPELL: And since we don't
18 have microphones I will ask you -- we
19 can hear you up here, but I would say
20 if you would speak up so everyone can
21 hear you.

22 THE WITNESS: Not a problem. I
23 was totally ignorant of what this
24 meeting was about up until this
25 morning. I just happened to be at the

1 publisher's office at the Lee's Summit
2 Journal and I take the Journal. I
3 overlooked the paper Monday or
4 overlooked the little article they
5 had. Basically all they stated was
6 that you will be here at such and such
7 time, you will be in Kansas City such
8 and such time. You will have an hour
9 before and you will have up to two
10 hours for the discussion until 8:30.
11 I knew nothing about MCA. I still
12 don't know really a whole lot about
13 it. I probably would have some
14 comments, further comments if I had
15 had this sooner. And I just made a
16 comment earlier, I would like to see
17 since you have control over the
18 utilities of mandating that if
19 something comes up, have at least a
20 month's warning to where you can get
21 it into the bills where you have got
22 some explanation of what is coming up.
23 And maybe this is included so that the
24 public can be a little more informed
25 because I was born and raised here in

1 this town in Independence and lived in
2 Lee's Summit here for several years.
3 This is the first one I've ever
4 attended. I've always heard about
5 them after the fact. It was generally
6 if it was something big enough that
7 made the news, otherwise it just got
8 how did that happen? Don't know.
9 That's the only comment that I really
10 have is I would like to see that you
11 mandate that if you have got a problem
12 with the phone company, put it in the
13 phone bill at least a month ahead,
14 utility company, put it in the utility
15 bill because we all get the bills.
16 Somebody is going to have to pay it.
17 I belong to a homeowner's association,
18 we get a monthly magazine. A lot of
19 people don't read it. But we all get
20 our bills, so they put the important
21 stuff in the bills. That's really the
22 only comment. I would like to have
23 some comments, but I can't make any
24 comments on this because I don't have
25 enough information. I didn't have it

1 soon enough to prepare. Also I didn't
2 realize that I was paying the MCA
3 rates that were included in my local
4 service and I live in Lee's Summit, I
5 have an Independence exchange, I live
6 a block east of the eastern boundary
7 line of Kansas City, Missouri. I have
8 no idea where I fit in either yellow
9 or green on that. So I would like to
10 have seen that a little more
11 definitive. Other than that, that's
12 all I've got to say.

13 JUDGE DIPPELL: I will just
14 address a couple of your comments.
15 You may want to speak with Mr. Dandino
16 after the hearing if you think that
17 you might have additional comments
18 since it's his office's job to
19 represent you and your comments in
20 front of us. So there still may be
21 opportunity for you to have some input
22 if you go through the Office of Public
23 Counsel. As far as where your service
24 lies, again some of our staff might be
25 able to help you after the hearing to

1 more -- to define that a little bit.

2 THE WITNESS: It is not important
3 right now in that sense. What I'm
4 saying it's ambiguous with the color
5 coding because it doesn't designate
6 your prefix. If it had in there this
7 covers these prefixes, I would have a
8 little better idea or if it at least
9 had the boundary lines showing where
10 Lee's Summit separated from Raytown or
11 Independence and Blue Springs and
12 that, Sugar Creek, you have got all of
13 these little towns in between. I mean
14 I know the prefixes of primarily of
15 Raytown is 358, 356, Independence is
16 certain numbers, Blue Springs is two
17 twos, but color coding on that I had
18 no idea where I was in that.

19 JUDGE DIPPELL: Thank you. Mr.
20 Dandino, did you have questions?

21 MR. DANDINO: Just a few
22 questions. Mr. Zornes, I will give
23 you my card. It has my e-mail address
24 on it too, so if you do have some
25 comments on it, then you can forward

1 it to our office and we'll make sure
2 it becomes part of the official file
3 of the Commission. We'll file it with
4 any consumer letters that we get and
5 provide copies to all of the parties
6 in the case.

7 Also I do want to ask you about
8 your comment about including the
9 meeting notice in with the bill.
10 Would you think it would be better to
11 have it as a separate bill insert,
12 something in with the bill or a
13 message on the bill?

14 THE WITNESS: Possibly either way
15 or just maybe a colored sheet that's
16 different from what the phone company
17 because right now we get a lot of
18 advertising or propaganda, whatever
19 you want to call it, from the phone
20 companies and utility companies
21 offering different services and stuff.
22 And I mean a lot of people, they look
23 at it and I still think it's a better
24 way than letting the newspaper either
25 put it in or not put it in. If they

1 put it in, they edit it down to the
2 point there is a meeting such and
3 such, so what? How is that going to
4 affect me?

5 MR. DANDINO: You don't know what
6 the meeting is?

7 THE WITNESS: I had no idea.

8 MR. DANDINO: You would like at
9 least some detail to let you know what
10 it means to you as a consumer, at
11 least that in the notes?

12 THE WITNESS: This is the first
13 time I've ever been to one of these
14 that I knew about it far enough in
15 advance, and I happened to catch it
16 this morning or I wouldn't have been
17 here tonight and I probably wouldn't
18 have known anything about it.

19 MR. DANDINO: That's all I have,
20 your Honor. Thank you, sir.

21 JUDGE DIPPELL: Commissioner
22 Crumpton.

23 COMMISSIONER CRUMPTON: No
24 questions.

25 JUDGE DIPPELL: Commissioner

1 Murray.

2 COMMISSIONER MURRAY: No
3 questions.

4 JUDGE DIPPELL: Commissioner
5 Schemenauer.

6 COMMISSIONER SCHEMENAUER: No
7 questions.

8 JUDGE DIPPELL: Edith Parker.

9 EDITH PARKER, being duly sworn in,
10 testified as follows:

11 JUDGE DIPPELL: Go ahead, if you
12 would spell your name for the court
13 reporter and give her your address.

14 THE WITNESS: E D I T H P A R K
15 E R, and 2203 Northwest Chipman Road,
16 Lee's Summit, Missouri 64081.

17 JUDGE DIPPELL: You can go ahead
18 and give us your comments.

19 THE WITNESS: Well, I will
20 follow-up with what the previous
21 gentleman said because that was one of
22 the first things I had on my list was
23 it's very upsetting to find out after
24 the fact when something is done to a
25 consumer of anything. And I think

1 just throwing it out in a newspaper
2 willy-nilly doesn't get the job done.
3 If you have consumers of a certain
4 utility, for God's sakes, say so in
5 your bill. You are going to bill them
6 every month or whatever. So let them
7 know what you are doing and what you
8 are up to and you need them at a
9 meeting to say something. That
10 doesn't mean they will be there. I
11 have attended political rallies where
12 you've had two or three people in the
13 audience too. So people are
14 apathetic. But I think if they
15 understand it affects something they
16 use everyday like their phone and what
17 the billing could become and all the
18 ramifications of it, I think they
19 might show up. So that would be my
20 suggestion. And I would use it as a
21 separate insert, not on their bill
22 because not everybody reads that. All
23 they read is oh, I owe so much and I
24 have got to have it in by such and
25 such a date, that's it. A lot of

1 people are that way. That's one
2 thing.

3 And I don't understand why people
4 have to pay for things they may or may
5 not use. So I don't think you can
6 just throw it out there that you are
7 going to pay this much money more on
8 your bill because you live here or
9 there. To me that's not right.
10 There's a lot in our phone bills now
11 that I'm very unhappy with, and I have
12 been writing to the federal
13 communications about it. And that's
14 your \$3 charge whether you make a
15 telephone call or not. Come on, give
16 me a break. You shouldn't have to pay
17 for things you don't use.

18 I think these handouts are
19 confusing to people. If you provided
20 them to everybody, they probably
21 wouldn't understand it all because
22 it's very confusing. Like you don't
23 even know where you live on there. It
24 doesn't really show. So you don't
25 really know how you are affected or

1 who else you might know is affected.
2 I don't make enough calls outside my
3 area to worry much about it as some
4 people might. If I do, I'm willing to
5 pay for that. I don't want to be
6 precharged for something I may or may
7 not use.

8 Another thing is I think these
9 hearings can be academic in the long
10 run because I think future of
11 communications are cell phones. They
12 are going to be able to reach
13 everywhere different places. How you
14 all handle those numbers, I don't
15 know. But that's what's going to
16 happen. Telephone lines are going to
17 be pretty nonexistent. We're going to
18 go through the air. We're in the
19 millennium, so to speak. So I'd say,
20 I think this is a dead horse we're
21 beating here anyway on MCA.

22 The other thing I would put in
23 here is, as you mentioned in here
24 about the billing of all these other
25 companies that can be involved in this

1 and all, I can see where that could be
2 so confusing to people trying to make
3 an accurate billing crossing these
4 lines and that lines, I can see that
5 being a total mess. I don't even
6 think the people that make up the
7 bills will understand it, much less
8 the people that get them. That's
9 pretty much what I have to say about
10 it.

11 JUDGE DIPPELL: Thank you. Mr.
12 Dandino, did you have questions?

13 MR. DANDINO: I have no questions.
14 Thank you, ma'am.

15 JUDGE DIPPELL: Commissioner
16 Crumpton.

17 COMMISSIONER CRUMPTON: No
18 questions.

19 JUDGE DIPPELL: Commissioner
20 Murray.

21 COMMISSIONER MURRAY: No
22 questions.

23 JUDGE DIPPELL: Commissioner
24 Schemenauer.

25 COMMISSIONER SCHEMENAUER: No

1 questions.

2 JUDGE DIPPELL: Those were the
3 only witnesses I had on the witness
4 list. We did have some questions that
5 came in. Is there anyone else that
6 would like to come forward to testify?
7 All right then. If there's no one
8 else that would like to speak at this
9 hearing, then I will conclude the
10 hearing and adjourn. Thank you very
11 much for attending.

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C E R T I F I C A T E

I, Deborah L. Reithmeyer, do
hereby certify that I appeared at the
time and place first hereinbefore set
forth; that I took down in stenotype
the entire proceedings had at said
time and place; and that the foregoing
pages constitute a true and complete
transcript of my stenotype notes.

Registered Professional Reporter