

ROBERTS & ASSOCIATES BY KAREN J. LYMAN, RPR, CSR

STATE OF MISSOURI

PUBLIC SERVICE COMMISSION

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TRANSCRIPT OF PROCEEDINGS

Public Hearing

June 9, 1999

Maryville, Missouri

Volume 2

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In the Matter of Revised Natural Gas )  
Rate Schedules Designed to Increase )  
St. Joseph Light & Power Company's ) Case No.  
Annual Natural Gas Revenues by ) GR-99-246  
Approximately \$499,104, Exclusive )  
of Applicable Fees and Taxes )

In the Matter of St. Joseph Light & )  
Power Company's Revised Electric ) Case No.  
Rate Schedules Designed to Increase ) ER-99-247  
Rates for Electrical Service in the )  
Company's Missouri Service Territory )

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VICKY RUTH, Presiding,  
REGULATORY LAW JUDGE.

CONNIE MURRAY,  
ROBERT G. SCHEMENAUER,  
COMMISSIONERS.

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REPORTED BY: KAREN J. LYMAN, RPR, CSR, CCR  
ROBERTS & ASSOCIATES COURT REPORTERS

ROBERTS & ASSOCIATES BY KAREN J. LYMAN, RPR, CSR

A P P E A R A N C E S

MR. GARY MYERS AND JAMES C. SWEARENGEN,  
312 E. Capitol Avenue  
Jefferson City, Missouri 65102  
FOR: St. Joseph Light & Power Company

MS. SHANNON COOK, Assistant Public Counsel  
P.O. Box 7800  
Jefferson City, MO 65102-7800  
FOR: Office of Public Counsel  
and the Public.

MR. DAVID J. STUEVEN, Assistant General Counsel  
P.O. Box 360  
Jefferson City, MO 65102  
FOR: Staff of the Missouri Public  
Service Commission.

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

2 (Hearing commenced at 6:15 p.m.)

3

4 JUDGE RUTH: Good evening. I

5 would like to welcome everyone here tonight. My

6 name is Vicky Ruth, and I'm a regulatory law judge

7 with the Missouri Public Service Commission. We

8 are here tonight for a local public hearing in

9 cases GR-99-246 and ER-99-247 regarding St. Joseph

10 Light and Power Company proposed rate increases

11 for natural gas and electricity service. Notice

12 of this hearing has been sent by the Commission's

13 information officer to several newspapers and

14 radio stations.

15 I'll begin tonight by giving a brief

16 explanation of the procedures that we're going to

17 follow along with a brief description of the

18 agency. I'll also identify some of the people

19 that you see sitting up here, and circulating

20 tonight is a witness list. If you think you might

21 want to offer a comment tonight, I ask that you

22 please find the witness list and go ahead and sign

23 it. I'd also like to point out that there are

24 several piles of information sheets around. If

25 you did not receive one, there are some on a chair

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1 by the door. You might want to pick one up.

2 The Missouri Public Service Commission is a  
3 state agency which regulates the rates charged by  
4 investor-owned utility companies in Missouri in  
5 order to ensure that those rates are just and  
6 reasonable. The quality of service and degree of  
7 safety employed in those operations are also  
8 regulated by the Commission. The Commission  
9 consists of five commissioners who are appointed  
10 by the Governor, and two of those commissioners  
11 are here tonight. Commissioner Connie Murray and  
12 Commissioner Robert Schemenauer.

13 The Commission employs a staff of engineers,  
14 accountants, attorneys, financial analysts and  
15 other specialists in the field of utility  
16 regulation in order to draw upon their expertise.  
17 Some of those individuals are also present tonight  
18 including Mike Straub -- will you raise your  
19 hand -- who's a rate and tariff examination  
20 supervisor. James Watkins who is regulatory  
21 economist three, and also David Stueven, the  
22 attorney for the Staff.

23 In addition to the Commission Staff, on my  
24 left we have Shannon Cook in the black dress of  
25 the Office of Public Counsel. It is the job of

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1 the Public Counsel to represent the people in  
2 hearings before the Commission. Representing  
3 St. Joseph Light & Power Company is their  
4 attorney, Mr. James Swearengen, at the end of the  
5 table, and Mr. Swearengen if you have any  
6 representatives from the company that you'd like  
7 to introduce, go ahead.

8 MR. SWEARENGEN: Thank you. I'd  
9 call on them and ask them to stand up and identify  
10 themselves for everyone.

11 MR. MYERS: My name is Gary  
12 Myers. I'm vice president and general counsel.

13 MR. RICE: I'm Tim Rush, manager  
14 of customer operations.

15 MR. VANDIVER: I'm Ron Vandiver.  
16 I'm the manager of North Division.

17 MS. LIECHTI: I'm Lois Liechti.  
18 I'm supervisor of pricing and market research.

19 MS. STAFFORD: I'm Kayla  
20 Stafford, assistant supervisor of customer  
21 services.

22 MR. FANGMAN: I'm Joe Fangman,  
23 key customer consultant.

24 MR. SWEARENGEN: Thank you.

25 JUDGE RUTH: Thank you. The

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1 purpose of tonight's hearing is to give members of  
2 the public an opportunity to offer their comments  
3 and suggestions on the proposed rate increases.  
4 The Commission does value your input. Since this  
5 is an official hearing of the Commission, we do  
6 have the court reporter here and a transcript will  
7 be made. That transcript will be part of the  
8 official record and will be available for the  
9 other commissioners who are not able to be here  
10 tonight.

11 I will begin by giving the attorneys an  
12 opportunity to make a brief opening statement, and  
13 then Ms. Cook of the Office of Public Counsel will  
14 call the witnesses to the front, and I ask that  
15 you please stand at the podium, and I'm going to  
16 have to ask you to spell your name so that the  
17 court reporter can get it correctly. And I also  
18 please ask that when you are finished making your  
19 statement that you remain at the podium because  
20 there may be some questions from the attorneys or  
21 the commissioners or myself.

22 Are there any questions regarding this  
23 procedure before we start? (No response.)

24 JUDGE RUTH: Okay. Commissioner  
25 Murray, do you have any opening statements?

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1                   COMMISSIONER MURRAY: I don't  
2 really except to say that we're glad you're here.  
3 We're here to hear what you have to tell us  
4 tonight, and there have certainly been no  
5 decisions made in this proceeding at this point,  
6 and we just want some input from you.

7                   JUDGE RUTH: Commissioner  
8 Schemenauer?

9                   COMMISSIONER SCHEMENAUER: Just  
10 glad to be here, and we will be listening to  
11 everything you have to say regarding this rate  
12 increase, and don't be bashful.

13                  JUDGE RUTH: Thank you. Ms.  
14 Cook, would you like to make an opening statement,  
15 and do you want the microphone?

16                  MS. COOK: Just briefly that I  
17 appreciate the customers who have come out tonight  
18 especially, and our office would like to get their  
19 input so they know what position they are willing  
20 to take on your behalf.

21                  JUDGE RUTH: Thank you.  
22 Mr. Swearengen?

23                  MR. SWEARENGEN: We have no  
24 opening statement. We look forward to hearing  
25 from our customers. Thank you.

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1 JUDGE RUTH: Mr. Stueven?

2 MS. STUEVEN: The Staff will  
3 make no opening statement.

4 JUDGE RUTH: Ms. Cook, will you  
5 please call your first witness to the podium.

6 MS. COOK: Public Counsel calls  
7 Dr. David Easterla, please.

8 JUDGE RUTH: Mr. Easterla, would  
9 you please spell your complete name for the court  
10 reporter. Give me a second.

11 MR. EASTERLA: I don't need  
12 that. I talk loud. I don't need that. David,  
13 D-A-V-I-D. A, middle initial. Easterla,  
14 E-A-S-T-E-R-L-A.

15 JUDGE RUTH: Mr. Easterla, would  
16 you please raise your right hand.

17

18 DAVID A. EASTERLA  
19 called as a witness herein, being first duly sworn  
20 by Judge Ruth, testified on his oath as follows:

21

22 JUDGE RUTH: Ms. Cook?

23 MS. COOK: Will you tell us your  
24 street address, please.

25 MR. EASTERLA: 1420 North Dewey.



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1 MS. COOK: And are you a gas  
2 customer of St. Joe Light & Power?

3 MR. EASTERLA: Yes.

4 MS. COOK: And what would you  
5 like to tell the Commission this evening?

6 MR. EASTERLA: Don't know where  
7 to begin. Oh, really I do. First I'd like to go  
8 on record as opposing any rate increase for  
9 revenues for St. Joe Light & Power; probably not  
10 by myself, particularly after reading the  
11 information sheet here. I find that to be very  
12 informative, and I could be up here a long time,  
13 but I'm not.

14 I think there's one thing I do have some  
15 questions on, and that concerns salary, and it  
16 means some of you might not like to hear that, but  
17 anyway, it's a fact so -- and I know the Missouri  
18 Public Service Commission has definitely  
19 determined according to their investigation that  
20 there is an over earning, and you might want to  
21 say well, where is the money going? And I'm quite  
22 aware that salaries, inflated salaries quite often  
23 cause companies, whatever, to simply lose more  
24 revenue, and so I guess I want to talk about  
25 salaries from the standpoint of first noting that

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1 St. Joe Light & Power is a facility serving the  
2 public and so I would assume that salaries of  
3 their older employees are not sacred. I know  
4 other state employees -- I'll speak for myself --  
5 state universities, all of our salaries are  
6 published annually. There are no secrets. In the  
7 blue book; you can go to any library, there the  
8 salaries are. You can find out what I'm making  
9 and anyone else is making; and so again I would  
10 hope that salaries of St. Joe Light & Power  
11 employees, all of them, this is information that  
12 should be available to the public.

13 So anyway, I think probably -- and I'm really  
14 not sure the breakdown that St. Joe Light & Power  
15 has, but I'm going to ask questions, and if I  
16 don't have answers now, my address is available  
17 and certainly I guess we have a mail service.

18 First I would like to know the average salary  
19 of the administrators of St. Joe Light & Power.  
20 Second I would like to know the highest salary  
21 St. Joe Light & Power administration, and third  
22 the lowest salary of the administrators of St. Joe  
23 Light & Power. The next category I assume would  
24 probably be clerical, in that area, and the same  
25 three questions; the highest salary, the average

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1 and the lowest. And then third -- and this might  
2 not be your exact breakdown, and you just have to  
3 forgive my ignorance if I don't have it, but your  
4 remaining employers -- employees, I should say, as  
5 far as the highest, the average, and the lowest.  
6 And that's my curiosity, and perhaps there are  
7 others who would also be interested in this  
8 information, and then they might find some advice,  
9 and maybe that is behind maybe the reason for  
10 asking of an increase of electric revenues.

11 So basically that's all I have, and I'll  
12 stand here for some questions. Yeah.

13 JUDGE RUTH: Ms. Cook?

14 MS. COOK: I have no questions.

15 JUDGE RUTH: Mr. Swearengen?

16 MR. SWEARENGEN: No questions,  
17 thank you.

18 JUDGE RUTH: Mr. Stueven?

19 MR. EASTERLA: Is that  
20 information available? I'll just ask you now  
21 then.

22 JUDGE RUTH: Let me try and  
23 answer that request. First of all, at the local  
24 public hearing it's an opportunity for the  
25 Commission to hear the concerns, the questions,

1 et cetera, from the public.

2 THE WITNESS: Right.

3 JUDGE RUTH: And your questions  
4 are valid questions, they're on the record, but at  
5 this proceeding the company does not have an  
6 opportunity to put witnesses on the stand to  
7 testify as to the answers. Now, after the hearing  
8 they have several representatives here who could  
9 certainly discuss some of these issues with you.

10 MR. EASTERLA: Doesn't have to  
11 be today. They've got my mailing address.

12 JUDGE RUTH: Right, and that  
13 could be something that could be followed up also,  
14 but certainly your questions, the fact that they  
15 have been asked, will be on the record and will be  
16 something that the Commission will consider and  
17 look at in the later proceedings. There will be a  
18 full-blown hearing that starts July 6th and it  
19 goes for nine days, so through the 16th, and I  
20 imagine a variety of questions will be asked, and  
21 expenses will be one of the issues that will be  
22 considered.

23 MR. EASTERLA: It certainly has  
24 my curiosity, and I think there are quite a number  
25 of others that has their curiosity, too, in

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1 talking to them in this area, right.

2 JUDGE RUTH: I'm not sure if I  
3 gave you an opportunity to ask questions.

4 MR. STUEVEN: No questions.

5 MR. EASTERLA: I believe I have  
6 concerns with other organizations, too, you know.  
7 I'm not going to name -- I could name them, you  
8 know, Blue Cross Blue Shield. I have a real  
9 problem with them.

10 JUDGE RUTH: Commissioners, do  
11 you have any questions of the witness?

12 COMMISSIONER MURRAY: I would  
13 just like to clarify one thing, and that is you  
14 made the statement that there had been a  
15 determination by the Commission that there was an  
16 over earning situation, and I just wanted to  
17 clarify. That is the Commission Staff that has  
18 made that allegation that there has been an over  
19 earning, not the Commission itself. We have not  
20 heard the evidence yet on that. We've made no  
21 determination.

22 MR. EASTERLA: I understand.  
23 Thank you for the clarification.

24 COMMISSIONER MURRAY: You're  
25 welcome. It's difficult to understand how the

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1 Commission is set up.

2 MR. EASTERLA: Thank you for the  
3 clarification. I appreciate that.

4 COMMISSIONER SCHEMENAUER: I  
5 just have one question. Do you think your rates  
6 for gas are high enough, excessive or too low?

7 MR. EASTERLA: I certainly  
8 wouldn't want to see them get any higher, and a  
9 little bit excessive.

10 COMMISSIONER SCHEMENAUER: The  
11 increase information sheet indicates it would  
12 average about \$4.65 a month. Do you feel that  
13 would be a hardship on any of you folks in  
14 Maryville?

15 MR. EASTERLA: Yes, uh-huh,  
16 certainly. Absolutely. Absolutely. And we're in  
17 hard times up here in northwest Missouri. Many of  
18 my students come off the farm. Hey, I've been  
19 here 35 years. I know what they're going through.  
20 I've seen it since '65 since I arrived.

21 COMMISSIONER SCHEMENAUER: The  
22 farm economy is down here?

23 MR. EASTERLA: It's tough. A  
24 lot of them are going out of business. You bet.

25 COMMISSIONER SCHEMENAUER: Thank

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1       you, sir.

2                       MR. EASTERLA: Thank you.

3                       JUDGE RUTH: Ms. Cook, are you  
4 finished with this witness?

5                       MS. COOK: That's all I have.  
6 Thank you.

7                       JUDGE RUTH: Mr. Easterla, did  
8 you have any further comments?

9                       MR. EASTERLA: I really don't.

10                      JUDGE RUTH: We very much  
11 appreciate your statements. If you think of  
12 anything else and want to come up later, let  
13 Ms. Cook know. Otherwise, Ms. Cook, you can call  
14 your second witness.

15                      MR. EASTERLA: Thank you for  
16 your time. Okay.

17                      MS. COOK: The Office of Public  
18 Counsel calls Mr. Frank Strong, please.

19                      JUDGE RUTH: I think I'm going  
20 to go ahead and move this.

21                      MR. STRONG: I don't think I  
22 need that, but you can bring it up if you want. I  
23 don't really have any under oath testimony.

24                      JUDGE RUTH: Mr. Cook -- I'm  
25 sorry, Mr. Strong could I get you to spell your

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1 name for the court reporter just to make sure we  
2 get it right.

3 MR. STRONG: Frank, F-R-A-N-K,  
4 H., Strong, S-T-R-O-N-G.

5 JUDGE RUTH: I do need to go  
6 ahead and get you to swear or affirm, if you could  
7 raise your right hand.

8

9 FRANK H. STRONG  
10 called as a witness herein, being first duly sworn  
11 by Judge Ruth, testified on his oath as follows:

12

13 MR. STRONG: I'm not here to  
14 discuss rates. I think Public Service Commission  
15 employees will take care of the rate issue. I'm  
16 here to discuss one of the rules and regulations,  
17 and all the people of St. Joe Light & Power that  
18 are here knows the story because I've had a lot of  
19 dealings with them. If I'm wrong on anything, I'm  
20 sure they'll let me know. But I'm here personally  
21 or for myself. I've got a business that's the  
22 practice of law. I guess that's a business. I've  
23 got a house, and we've got meters, and we get a  
24 bill every month, always have. As I read the  
25 sheets that Mr. Rush presented, he points out the



1 rates but he also talks about some changes in  
2 rules and regulations. I read what he sent out,  
3 and I don't see any of those having touched on the  
4 matter I want to discuss which makes me believe  
5 those rules and regulations are set in fact. If  
6 I'm wrong on that, Mr. Rush can let me know.

7 This matter has to do with meters, estimates.  
8 Every utility -- every customer has to have a  
9 meter. The meters are located in an area that's  
10 accessible to the utility, and a bill goes out.  
11 There was a rule that was in effect -- and I think  
12 it's still in effect -- about the fact that I  
13 would consider where there is a difference between  
14 what the meter shows and what the utility comes  
15 out and says here is the amount that's used. I  
16 have a real problem with that because if I have to  
17 furnish a place for a meter. I don't own the  
18 meter, but I've got to have one so it can be read;  
19 and then the utility can come around later on and  
20 say wait a minute, that meter didn't work right.  
21 Then they come back and bill you for something  
22 that happened in the past.

23 I will not identify the case, but these  
24 gentlemen at St. Joseph Light & Power know what  
25 the case is. It is a firm that expanded and a new

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1 meter was installed, and then later on a notice  
2 goes out that this firm owes over \$40,000. That's  
3 a lot of money in my book for utilities. And they  
4 say we've got the equipment that shows how much  
5 you used, and the meter was wrong. St. Joe Light  
6 & Power's meter, it wasn't the customer's meter.  
7 If it was a wrong meter okay, but they ought to  
8 share -- or not share but have that  
9 responsibility. Well, it provides a rule that I  
10 think is still in effect; that if they come up and  
11 there's a difference between what they used and  
12 what the meter says, then if it's a two percent  
13 difference, I don't know, if it's a four, if it's  
14 a one percent, but the particular rule I think is  
15 still in effect -- and if not I'm sure the utility  
16 will let me know -- that says they can go back  
17 five years or 60 months. And on the residence  
18 they can go back one year.

19 Now, I have some problem with that. First if  
20 they have the facility and the ability to say how  
21 much I really used, then why we got meters at all?  
22 Or if they don't find it was in error or they  
23 don't go finding something was wrong with the  
24 meter, but they come back with your other  
25 facilities and say you used more than that. Now,

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1       that case was for over \$40,000.

2             Another rule that I think it says, if I find  
3       that I'm charged too much I can come back. In  
4       this particular case the settlement reached with  
5       Mr. Myers eventually was based upon what they said  
6       it should have been, not what their meter said. I  
7       asked to see the meter. I was told that it had  
8       been sent back to the company to be fixed to be  
9       repaired.

10            So here was a sleeper by the bill. \$40,000.  
11       It raised the question is St. Joe Light & Power --  
12       or any utility could be the same principle.  
13       St. Joe Light & Power owns the meter; I have to  
14       give them a space to put the meter and they bill  
15       me monthly, and if they are billing it wrong,  
16       isn't it the utility's problem that they swallow  
17       it? And I think the rule says that if you go back  
18       60 months then they will give you 60 months to pay  
19       it, but that's pretty poor relief, and on a house  
20       they give you 12 months. If they have the ability  
21       and a facility to say how much was used, why have  
22       the meter at all?

23            Now, there are businesses up here that  
24       expanded. I believe that we are the second  
25       largest customer of the utilities in this area,

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1 other than St. Joe, but I think that it is wrong  
2 to have that kind of a rule that they can go back  
3 on you and say here it is, it's our mistake, it  
4 was our meter, but we know that you used more than  
5 what the meter shows, and therefore we bill you.  
6 They can bill back 60 months in effect to a  
7 business and they can bill back 12 months to a  
8 residence.

9 Now, you know, I'd like to know sometimes  
10 whether the meter that they've got at my house is  
11 right, but I'm not sure that I want them to go  
12 check it, even though they can come back and say  
13 Frank, you're a darn fool to ask this be done  
14 because we find that your meter didn't get  
15 everything. I'm not talking about a case where  
16 there was a tampered with meter. I'm talking  
17 about a case where there was no tampering or no  
18 allegation of tampering, and I indicate that the  
19 old rule applies, the rule we had before, that the  
20 rules that Mr. Rush changed do not cover this  
21 subject.

22 Now, I've -- everybody here with St. Joe  
23 Light and Power Company is aware of the facts of  
24 this case, and if I misstated the facts I'll be  
25 glad for them to straighten me out. Or limit my

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1 time or whatever it is. To see if I said anything  
2 wrong.

3 Now, I was told somewhere along the line  
4 well, all utilities have that kind of a rule or a  
5 similar thing. Well, assume they do. That  
6 doesn't make it right. The courts have said if  
7 you're out on the road everybody else does that,  
8 still doesn't make it right. I'm not talking  
9 about anybody tonight. I am talking about the  
10 fairness of that rule. I do appreciate the  
11 opportunity to be heard. I appreciate the  
12 Commission having representatives up here. And  
13 I'm just talking about not to rates but I am  
14 talking about the height of ethical.

15 May I ask the utility people if they have  
16 any -- if I stated the facts right?

17 JUDGE RUTH: I need to speak to  
18 that. Unfortunately at this type of a proceeding,  
19 the local public hearing, the company, St. Joe  
20 Light & Power, does not have the opportunity to  
21 put witnesses on the stand so they cannot directly  
22 answer your question during the hearing. After  
23 the hearing they're welcome to discuss it with you  
24 or you can go --

25 MR. STRONG: Hey, I've discussed

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1       this case up and down with this. I just say I'll  
2       give up my time, whatever it is. If I say  
3       something that's wrong, you fellows tell me so.

4                   JUDGE RUTH: Unfortunately they  
5       can't get on the record and respond.

6                   MR. STRONG: Okay. They can  
7       raise their hand or they can do something else.  
8       If they discount what I've said, I would like for  
9       them to tell me and why.

10                  JUDGE RUTH: And your concern is  
11       justified. If they have any comments or questions  
12       or concerns about what you said, they're welcome  
13       to discuss it after the hearing, but they cannot  
14       discuss it during the hearing. I'm sorry.

15                  MR. STRONG: Okay. That's all  
16       right with me. But I'd kind of like to know if  
17       I'm a liar, okay.

18                  JUDGE RUTH: And I believe Ms.  
19       Cook has a couple of questions for you.

20                  MS. COOK: I failed to ask your  
21       street address for the record, if you could just  
22       let us know your street address for the court  
23       reporter.

24                  MR. STRONG: Well, my street  
25       address is the office, I guess, 124 East Third

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1 Street, Maryville.

2 MS. COOK: And that's in the  
3 service territory of St. Joe Light & Power?

4 THE WITNESS: You betcha. Post  
5 Office Box 660.

6 JUDGE RUTH: Mr. Swearengen?

7 MR. SWEARENGEN: Yes, thank you.  
8 Mr. Strong, I did have one question. Did I  
9 understand you to say the meter question that you  
10 had and the \$40,000 amount?

11 THE WITNESS: It was over  
12 \$40,000.

13 MR. SWEARENGEN: Over \$40,000  
14 amount that you alluded to, did I understand you  
15 to say you were able to get that resolved with  
16 St. Joe Light & Power Company?

17 MR. STRONG: Yes, a settlement  
18 was made, but, see, well, I think St. Joe Light &  
19 Power Company is going to say this is unfair. Be  
20 that as it may, I go down on my hands and get me  
21 from a position of power because of this rule that  
22 exists, and whether or not other utilities use it  
23 I don't care, but my question is isn't that an  
24 unfair rule?

25 MR. SWEARENGEN: Okay. Thank

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1       you.

2                   MS. COOK: Mr. Strong, do you  
3       have any idea how long it took to get your billing  
4       dispute resolved?

5                   MR. STRONG: Oh, I don't know.  
6       Six months or something like that, but I'm just  
7       flying off the handle. I've got it in my file  
8       here.

9                   MS. COOK: Okay. Thank you.

10                  JUDGE RUTH: Mr. Stueven, do you  
11       have any questions?

12                  MR. STUEVEN: No questions.

13                  JUDGE RUTH: Thank you very  
14       much.

15                  MR. STRONG: Thank you. I  
16       appreciate your holding this in Maryville and  
17       giving us an opportunity.

18                  JUDGE RUTH: We're glad to be  
19       here. Thank you very much.

20                  Ms. Cook, do you have another witness?

21                  MS. COOK: I have one more  
22       signed up and then one more possible witness. I'd  
23       like to take a moment after this one maybe and  
24       speak with the people who have come in since we  
25       began.



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1 JUDGE RUTH: I'm sorry, you need  
2 a break now or after this witness?

3 MS. COOK: Well, after the next  
4 witness would be okay.

5 JUDGE RUTH: That's fine, thank  
6 you.

7 MS. COOK: I would like to call  
8 Harold Van Sickle, please.

9 MR. VAN SICKLE: My name is  
10 Harold Van Sickle. H-A-R-O-L-D, V-A-N  
11 S-I-C-K-L-E. I live at 327 East Seventh Street in  
12 Maryville.

13  
14 HAROLD VAN SICKLE  
15 called as a witness herein, being first duly sworn  
16 by Judge Ruth, testified on his oath as follows:

17  
18 JUDGE RUTH: Do you have some  
19 more questions?

20 MS. COOK: What comments would  
21 you like to make this evening?

22 MR. VAN SICKLE: I would like to  
23 make a comment about what I've been reading about  
24 the proposed rate increases from St. Joseph Light  
25 & Power and also to comment on something that's on

1       this sheet here, that the staff of the PSC feels  
2       that there should be some reduction in rate. One  
3       thing I would like to point out is that I think  
4       we've had pretty good growth in this area up here,  
5       and I think growth normally means economies. I  
6       have no problem at all with the service that we  
7       receive. I happen to be the CEO of a small  
8       manufacturing plant in Maryville, and so I have do  
9       have relationships with St. Joseph Light & Power  
10      and have no complaint whatsoever.

11           It does concern me somewhat what Mr. Strong  
12      was talking about the rules that one of our  
13      industrial members here encountered on a meter  
14      situation. I would like to say in that regard  
15      briefly that I was involved with the City of  
16      Maryville a number of years as a councilman, and I  
17      know that when we had a meter problem or when we  
18      had a water meter problem, since we do operate the  
19      water utility here, that immediately when a meter  
20      reading is off some action is taken. I can't  
21      imagine something going on as long as this one did  
22      with a non-functioning or a malfunctioning meter,  
23      and a number of our industrial plant managers are  
24      very concerned about this item.

25           But I would just like to comment on my own on

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1 the matter that there must be a considerable  
2 variation between the fees that the staff will be  
3 presenting to the PSC committee and those of the  
4 St. Joseph Light & Power, and I hope that equal  
5 weight is given to each of them. Thank you.

6 JUDGE RUTH: Thank you.

7 MR. VAN SICKLE: Questions?

8 JUDGE RUTH: Ms. Cook, do you  
9 have any questions?

10 MS. COOK: No questions.

11 JUDGE RUTH: Mr. Swearengen?

12 MR. SWEARENGEN: No questions,  
13 thank you.

14 JUDGE RUTH: Mr. Stueven?

15 MR. STUEVEN: No questions.

16 JUDGE RUTH: Commissioner  
17 Murray?

18 COMMISSIONER MURRAY: No  
19 questions.

20 JUDGE RUTH: Commissioner  
21 Schemenauer?

22 COMMISSIONER SCHEMENAUER: No  
23 questions.

24 JUDGE RUTH: Thank you very  
25 much. OPC, did you want to take a few minutes?

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1 MS. COOK: If I might.

2 JUDGE RUTH: Sure. We will wait  
3 here. Just tell us when you're ready.

4

5 (Off the record.)

6 (Back on the record.)

7

8 JUDGE RUTH: Thank you. We are  
9 back on the record now. Ms. Cook, did you have  
10 any further witnesses?

11 MS. COOK: Yes, I do. Public  
12 Counsel calls Mr. Robin Cross, please.

13

14 MR. CROSS: For the record, my  
15 legal name is Robert W. Cross but everybody knows  
16 me as Robin, and I live at 1212 Crestview Drive in  
17 Maryville.

18

19 ROBERT W. CROSS  
20 called as a witness herein, being first duly sworn  
21 by Judge Ruth, testified on his oath as follows:

22

23 JUDGE RUTH: OPC, did you need  
24 to ask any preliminary questions?

25 MS. COOK: Just what comments

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1 would you like to make this evening?

2 MR. CROSS: I've lived here  
3 about a year and a half, and so in this area. My  
4 background is I'm a teacher over here at the  
5 vo-tech school in electronics. I have a very good  
6 education of power companies working as a chief  
7 engineer at different radio stations, industrial  
8 user of power, and my comments are St. Joe seems  
9 to be a relatively good power company.

10 I've lived in North Dakota, Kansas, Iowa,  
11 Missouri, Illinois, and Tennessee, and worked at  
12 radio stations in all of those, or TV stations,  
13 and the industrial customers are relatively well  
14 served. I've had much worse power companies and  
15 reliability aspects. I've had much worse on  
16 billing as our bill in Illinois amounted to about  
17 16 cents a kilowatt hour, if you can imagine that.  
18 Anyway, so but the best power company I think I  
19 ever had was the Municipal Memphis Power -- MLGW  
20 Memphis Gas, Light & Power, whatever, water, and  
21 they were relatively the cheapest power that I've  
22 ever had; and their bill is just one line, you  
23 know, kilowatt hours, and then the rate, and then  
24 there's no fuel factors.

25 You know, I think everybody likes a

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1 simplified bill like that. And when I lived in  
2 Illinois the bill was three pages long and you  
3 couldn't understand it. So everybody loves to  
4 have a hear about a rate reduction, and I'm  
5 inclined with that, but it seems relatively fair  
6 what they're paying now. Okay. That's about it.

7 JUDGE RUTH: Okay. Ms. Cook?

8 MS. COOK: I have no further  
9 questions.

10 JUDGE RUTH: And Mr. Swearengen?

11 MR. SWEARENGEN: No questions,  
12 thank you.

13 JUDGE RUTH: Mr. Stueven?

14 MR. STUEVEN: No questions.

15 JUDGE RUTH: Commissioner  
16 Murray?

17 COMMISSIONER MURRAY: No  
18 questions.

19 JUDGE RUTH: Commissioner  
20 Schemenauer?

21 COMMISSIONER SCHEMENAUER: No  
22 questions.

23 JUDGE RUTH: Thank you very  
24 much. All right. And do you have any further  
25 witnesses, Ms. Cook?

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1 MS. COOK: As far as I know no  
2 one else wanted to testify, but has anyone changed  
3 their mind?

4 JUDGE RUTH: And I encourage if  
5 anyone else has something else they want to say,  
6 you're welcome to sign up now and we will put you  
7 on.

8 MR. STRONG: May I be heard just  
9 again?

10 JUDGE RUTH: Certainly. Could  
11 you go ahead and approach? I'm sorry. I have a  
12 hard time hearing you, and I'll let the record  
13 reflect that Mr. Strong is back at the stand.

14 MR. STRONG: I cannot ask  
15 St. Joe Light & Power employees anything, I  
16 understand, but if they testify as to something  
17 different from what I said, will I have an  
18 opportunity to read that testimony?

19 JUDGE RUTH: The testimony is a  
20 public record and I can give you -- a phone number  
21 is even on here if you want to call. They can  
22 give you instructions how to obtain a copy of that  
23 after the hearing. Does that answer your  
24 question?

25 MR. STRONG: I understand. I

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1 just thought if I've said anything wrong and they  
2 disagree with what I said, I want an opportunity  
3 to see what I said, okay? Is that unfair?

4 JUDGE RUTH: Well, you're  
5 entitled to attend the hearing, even, if you wish.

6 MR. STRONG: In Jeff City?

7 JUDGE RUTH: Yes.

8 MR. STRONG: Well, okay.

9 JUDGE RUTH: Is there anyone  
10 else in the audience tonight who would like an  
11 opportunity to speak? Okay. I don't see anyone  
12 else who raised their hand or has shown any  
13 interest, so Commissioner Murray, do you have any  
14 closing remarks before we end?

15 COMMISSIONER MURRAY: I'd just  
16 like to thank you all for making the effort to be  
17 here and express your view. I know that it takes  
18 time from your evening and things that you would  
19 otherwise be doing, and we do appreciate the fact  
20 that you have taken the time to come express those  
21 to us. They will be considered by us and the  
22 other commissioners when we hear this case, and  
23 the hearing will -- the formal hearing will be  
24 actually beginning on July 6th if you're  
25 interested in following, you know, what happens at



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1       that time.

2                       JUDGE RUTH: Commissioner

3       Schemenauer?

4                       COMMISSIONER SCHEMENAUER: Just

5       repeat, I think. I would thank everybody for

6       coming out and I really appreciate having an

7       air-conditioned room to do it in. Thank you all

8       for that. Good night.

9                       JUDGE RUTH: Okay. Thank you

10      very much. I expect that the staff members over

11      on the table to my right and perhaps some of the

12      company representatives will be staying a few

13      minutes afterwards if you want to ask some

14      questions off the record. I encourage you to do

15      so, and thank you very much. This hearing is now

16      adjourned.

17

18                       (Hearing concluded at 6:53 p.m.)

19

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C E R T I F I C A T E

STATE OF MISSOURI)

)

COUNTY OF ANDREW )

I, Karen J. Lyman, Registered Professional  
Reporter and Notary Public of the State of  
Missouri, do hereby certify that I appeared at the  
time and place first hereinbefore set forth, that  
said proceedings were taken before me and  
thereafter transcribed into typewriting under my  
direction and supervision; and I hereby certify  
that the foregoing transcript of proceedings is a  
full, true and correct transcript of my shorthand  
notes.

I further certify I am neither counsel, nor  
related to any party to said action, nor otherwise  
interested in the outcome thereof.

IN WITNESS WHEREOF, I have hereto set my hand  
and affixed my seal this 16TH Day of JUNE, 1999.

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KAREN J. LYMAN, RPR, CSR, CCR

COSTS: COSTS DUE FROM: Commission

