

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Public Hearing
November 18, 2002
St. Louis, Missouri
Volume 2

ORIGINAL

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
3
4

5 Case No. GT-2003-0117
6 In the Matter of the Tariff Filing
7 of Laclede Gas Company to Implement
8 an Experimental Low Income
9 Assistance Program Called
10 Catch-Up-Keep-Up
11
12

13 BE IT REMEMBERED that the above-entitled
14 matter came on for public hearing at Wainwright State
15 Office Building, Room 116, 111 North Seventh Street, St.
16 Louis, Missouri, on the 18th day of November, 2002,
17 commencing at the hour of 12:00 p.m. in the afternoon of
18 that day, said hearing having been called by the Public
19 Service Commission, and the following is a transcript of
20 the records of proceedings had during the course of said
21 hearing.
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25

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2

3 Honorable Ron Pridgin - Judge

4 Sheila Lumpe - Commissioner

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20 Exhibit H-1 13

21

22 (The above-mentioned exhibit was not
23 provided to the court reporter for attachment to this
24 transcript.)

25

1 JUDGE PRIDGIN: Good afternoon. We are on
2 the record.

3 The Missouri Public Service Commission has
4 set this time for a local hearing in Case No.
5 GT-2003-0117, in which Laclede Gas Company seeks to
6 implement an experimental low income assistance program
7 called Catch-Up-Keep-Up.

8 The Missouri Public Service Commission
9 regulates the rates charged by investor-owned utility
10 companies in Missouri to insure that those rates are
11 just and reasonable. The Commission also regulates the
12 quality of service and safety of the operations of
13 investor-owned utilities. The Commission is made up of
14 five commissioners, one of whom is here today. The
15 commissioners are appointed by the governor to fixed
16 terms and confirmed by the senate. The commissioners
17 employ a staff of engineers, accountants, attorneys,
18 financial analysts, and other specialists in the field
19 of utility regulation.

20 I am Ron Pridgin. I am a Regulatory Law
21 Judge for the Missouri Public Service Commission, and I
22 will preside over today's hearing. With me today is
23 Commissioner Lumpe and staff counsel David Meyer.

24 This is an official hearing of the
25 Missouri Public Service Commission, and the statements

1 and testimony of witnesses will be recorded by the
2 court reporter and must be given under oath. All the
3 commissioners will have a chance to read all the
4 witness's remarks.

5 In addition to today's hearing, the
6 Commission will hold a trial-type evidentiary hearing
7 beginning on December 2nd, 2002, starting at nine
8 o'clock in the morning, and it will be held at the
9 Commission's offices at the Hotel Governor in Jefferson
10 City, Missouri. That hearing is a public hearing. And
11 the company will have the burden, at that hearing, of
12 showing that this proposed program is in the public
13 interest. The parties will present their witnesses for
14 and against the program at that time.

15 The purpose of this hearing is to hear
16 from you on the subject of the proposed program. The
17 company will not present witnesses and will not answer
18 any questions today. This is your chance to testify,
19 and your remarks will be made an official part of the
20 record of this case. I will call the name of each
21 witness who has signed up to speak. I will call you in
22 the order in which you signed up. When your name is
23 called, please come forward to the witness's podium.
24 Please spell your name for the court reporter so she
25 can record it correctly. I will ask you a few

1 preliminary questions, such as your name and address,
2 and you can then make your statement. There then may
3 be questions from Commissioner Lumpe or from myself.
4 Please do not leave the witness's area until you are
5 excused. This hearing is scheduled to end at two
6 o'clock this afternoon. To get as many of you on
7 record as possible, we ask that you be brief. If a
8 previous speaker has already made the points you wanted
9 to make, you may simply state that you agree with what
10 that person said. If there's someone who wishes to
11 testify but for religious reasons cannot take an oath,
12 please say so, so that you may be affirmed instead.

13 Does anyone have any questions about the
14 procedure we will follow?

15 I see no questions. We will, then, begin
16 the public hearing on Case No. GT-2003-0117 in the
17 matter of the tariff filing of Laclede Gas Company to
18 implement an experimental low income assistance program
19 called Catch-Up-Keep-Up.

20 Will counsel please make their entries of
21 appearance.

22 MR. MEYER: David Meyer with the staff of
23 the Missouri Public Service Commission. Our address is
24 P.O. Box 360, Jefferson City, Missouri 65102.

25 JUDGE PRIDGIN: Thank you, Mr. Meyer.

1 From the Office of Public Counsel.

2 MR. DANDINO: Michael Dandino, Office of
3 the Public Counsel, Post Office Box 7800, Jefferson
4 City, Missouri 65102. We're representing the Office of
5 Public Counsel and the public.

6 JUDGE PRIDGIN: Thank you, Mr. Dandino.
7 Anybody here from Laclede Gas?

8 MR. PENDERGAST: Yes, Your Honor. Michael
9 C. Pendergast appearing on behalf of Laclede Gas
10 Company, and my address is 720 Olive Street, St. Louis,
11 Missouri 63101.

12 Your Honor, if I could, I'd also like to
13 note that while I know we won't be answering any
14 questions during the formal proceeding, we do have a
15 number of folks in the audience from Laclede, John
16 Moten, Ben Reynolds, Gloria Thirdwill, who are
17 available to answer questions afterwards, if anybody
18 has a question, about the program or about any of the
19 services that we provide to them.

20 JUDGE PRIDGIN: All right. Thank you, Mr.
21 Pendergast. Any other attorneys who wish to enter an
22 appearance? I see none.

23 I will call the first witness. Please
24 bear with me if I mispronounce a name. Feel free to
25 correct me. I will apologize. The first witness I

1 have signed up is a Caryon Kirkland. If you would,
2 ma'am, please raise your right hand to be sworn.

3 (Witness Sworn.)

4 THE WITNESS: Yes, I do.

5 JUDGE PRIDGIN: All right. Thank you very
6 much.

7 DIRECT EXAMINATION

8 QUESTIONS BY JUDGE PRIDGIN:

9 Q. If you would, please spell your name for
10 the record.

11 A. My name is Caryon Kirkland. C-a-r-y-o-n
12 is my first name. My last name is K-i-r-k-l-a-n-d.

13 Q. Thank you, Ms. Kirkland. Would you please
14 give your address?

15 A. 5822 Cabanne Avenue.

16 Q. Is that here in St. Louis?

17 A. Yes, it is. 63112.

18 Q. Thank you. Are you currently a gas
19 customer of Laclede Gas Company?

20 A. Yes, I am.

21 Q. Ms. Kirkland, have you been notified, or
22 are you otherwise aware of how this proposed program
23 might affect you?

24 A. I asked a couple of questions when I first
25 got here.

1 Q. All right. Ms. Kirkland, do you have any
2 type of statement or comments you'd like to make?

3 A. Yes, I do.

4 Q. Whenever you're ready, ma'am.

5 A. In my opinion, the Catch-Up-Keep-Up
6 program is a very good idea, if it's tailored to fit
7 the individual. You know, like, for instance, if a
8 family is on a low income, has, like, about \$300 and
9 their housing might be, like, \$250, they can't afford
10 to pay \$100 to keep their bill balanced out. So if
11 they can't afford to pay that -- if it's adjusted to
12 where that person could pay what's necessary in order
13 to keep their gas on and at the same time also be able
14 to be a part of the Catch-Up-Keep-Up program, I think
15 it would be very nice. That's my opinion.

16 Q. All right. Thank you, Ms. Kirkland. Any
17 other comments?

18 A. No.

19 JUDGE PRIDGIN: Commissioner Lumpe, did
20 you have any questions?

21 COMMISSIONER LUMPE: No. Thank you for
22 coming.

23 JUDGE PRIDGIN: And I have no questions.

24 Ms. Kirkland, thank you very much for your testimony.

25 The next witness that I have signed up is

1 a Jackie Hutchinson.

2 THE WITNESS: Good afternoon.

3 JUDGE PRIDGIN: Good afternoon. Would you
4 please raise your right hand to be sworn?

5 (Witness Sworn.)

6 THE WITNESS: I do.

7 JUDGE PRIDGIN: Thank you so much, ma'am.

8 DIRECT EXAMINATION

9 QUESTIONS BY JUDGE PRIDGIN:

10 Q. If you would, please state and spell your
11 name for the record.

12 A. Jacqueline Hutchinson. That's
13 J-a-c-q-u-e-l-i-n-e H-u-t-c-h-i-n-s-o-n.

14 Q. Thank you, Ms. Hutchinson. Would you
15 please state your address for the record?

16 A. 4548 Dr. Martin Luther King. That's St.
17 Louis, 63113.

18 Q. All right. Ms. Hutchinson, are you
19 currently a gas customer of Laclede Gas Company?

20 A. I am.

21 Q. And are you aware, or have you been
22 notified of how this program might affect you?

23 A. Yes, I have.

24 Q. All right. Ms. Hutchinson, any type of
25 statement or comments that you would like to make?

1 A. Yes. I am going to -- I have comments in
2 writing, so I'm going to give those to the court
3 reporter.

4 JUDGE PRIDGIN: We'll get those marked,
5 please.

6 (Thereupon, the reporter marked H-1, for
7 identification.)

8 A. I'm going to just take a couple of minutes
9 to say a couple of things, and then I have five people
10 who came with me that I think can state my case better
11 than I can.

12 I am with the Human Development
13 Corporation Energy Assistance Program, and we provide
14 assistance to families through the crisis intervention
15 programs, the Dollar-Help, the Dollar-More, the ECIP,
16 who are in need of assistance, and we have many, many
17 families who are not able to get their services
18 restored. We have been taking applications now for two
19 weeks and have probably over a hundred families whose
20 service we were not able to restore because of the high
21 amount that they need. A program like the
22 Catch-Up-Keep-Up program would allow us to get those
23 families back on track.

24 I brought about 50 examples of families
25 that have -- this particular family has \$1,000 in

1 income, owes the gas company \$2,900 and needs \$2,245 to
2 be restored. I won't go through all of these, but I
3 have many, many examples of families who are in need of
4 this assistance.

5 Like I said, I have written testimony that
6 gives some statistical information. The program is
7 absolutely necessary to prevent health risks that
8 happen, and the people that follow me will talk to you
9 about those.

10 So I'm going do sit down and allow the
11 five people that came with me to tell you why we need
12 the Catch-Up-Keep-Up program.

13 JUDGE PRIDGIN: Ms. Hutchinson, just a
14 moment. Ms. Lumpe, did you have any questions?

15 COMMISSIONER LUMPE: No.

16 JUDGE PRIDGIN: I have no questions
17 either. Thank you so much. Did you get -- whatever
18 you wanted the Commission to look at, did you hand that
19 to the court reporter?

20 THE WITNESS: Yes, I did. I can hand a
21 copy to Commissioner Lumpe. Is that okay?

22 JUDGE PRIDGIN: That's fine, as long as we
23 have that marked.

24 Next I will call Cecelia Fair to the
25 witness stand, please. Good afternoon. Would you

1 please raise your right hand to be sworn?

2 (Witness Sworn.)

3 THE WITNESS: Yes, I do.

4 JUDGE PRIDGIN: Thank you very much,
5 ma'am.

6 DIRECT EXAMINATION

7 QUESTIONS BY JUDGE PRIDGIN:

8 Q. If you would, please state and spell your
9 name for the record.

10 A. Cecelia Fair, C-e-c-e-l-i-a F-a-i-r.

11 Q. All right. And your address, please?

12 A. 1124-A Angelica Street.

13 Q. Is that here in St. Louis, Missouri?

14 A. 63107.

15 Q. All right. Thank you. Are you currently
16 a gas customer of Laclede Gas Company?

17 A. Yes.

18 Q. And are you aware of how this program
19 might affect you?

20 A. Yes, I am.

21 Q. All right. Ms. Fair, any type of
22 statement or comments you would like to make?

23 A. I would like to make a comment. I think
24 the Catch-Up-Keep-Up program would be good for me
25 because of my medical conditions that I have had

1 established. I had two kidney surgeries in my back,
2 then I was in a real bad accident that injured my back
3 more, and I have been limited to working only 15 hours
4 a week which is 30 hours every two weeks. So that's
5 barely my rent. I have two young adults that help me
6 with trying to help me pay some of my bills. So,
7 therefore, I couldn't pay LaClede Gas the budgeted
8 amount that they were asking for because of the limited
9 work that I was allowed to do. So I think the
10 Catch-Up-Keep-Up program would be very good for me
11 because of my medical conditions.

12 JUDGE PRIDGIN: All right. Thank you, Ms.
13 Fair. Commissioner Lumpe, any questions?

14 COMMISSIONER LUMPE: No. Thank you.

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

17 Janet Helem. Good afternoon.

18 THE WITNESS: Good afternoon.

19 JUDGE PRIDGIN: If you would, ma'am, if
20 you're able to raise your right hand, please do so and
21 be sworn.

22 (Witness Sworn.)

23 THE WITNESS: Yes, I do.

24 JUDGE PRIDGIN: All right. Thank you so
25 much, ma'am.

1 DIRECT EXAMINATION

2 QUESTIONS BY JUDGE PRIDGIN:

3 Q. If you would, please state and spell your
4 name for the record.

5 A. Janet Helem, J-a-n-e-t H-e-l-e-m.

6 Q. Thank you. And your address, please?

7 A. 1915 Marcus, M-a-r-c-u-s.

8 Q. Is that here in St. Louis?

9 A. St. Louis, Missouri 63113.

10 Q. All right. Thank you. Are you currently
11 a customer of Laclede Gas Company?

12 A. Yes, I am.

13 Q. And are you aware of how this program
14 might affect you?

15 A. Yes, I am.

16 Q. All right. Thank you, ma'am. Any kind of
17 statement or comments you'd like to make?

18 A. Yes, I do.

19 Q. Whenever you're ready.

20 A. I've been a customer for quite a long
21 time. My service has been off for two years. I've
22 been trying to get it back on, but it's been too high
23 for me to pay. I'm on a fixed income. I'm disabled.
24 I have a bad heart, and arthritis, rheumatism. So this
25 will be very beneficial to me, the Catch-Up-Keep-Up

1 program. I know I can catch up, but I don't think I
2 could keep it up. I'm trying. It's been hard. I'm
3 tired of going to people's houses, taking baths. I do
4 need my service on. I try to do everything I can to
5 pay it, but I just can't -- I haven't been able to pay
6 it. My bill is very high. I haven't been able to get
7 it down.

8 I've been to different agencies trying to
9 get it on. They can give me only so much. I just
10 can't come up with the money. It's just been very hard
11 on me. So this would be very beneficial to me, if I
12 could get this on.

13 JUDGE PRIDGIN: All right.

14 THE WITNESS: I sure would appreciate it.

15 JUDGE PRIDGIN: Thank you, Ms. Helem.

16 Commissioner Lumpe, did you have any questions?

17 DIRECT EXAMINATION

18 QUESTIONS BY COMMISSIONER LUMPE:

19 Q. Ms. Helem, you say you've been cut off for
20 two years?

21 A. Yes, ma'am.

22 Q. Have you gotten any assistance?

23 A. Yeah, I have gotten assistance, but the
24 assistance they give me is so very minimum, then they
25 want me to come up with so much money within a certain

1 amount of time. I'm on a fixed income. I'm just not
2 able to come up with it. I had one service that agreed
3 to pay \$700, but they wanted me to come up with \$600 in
4 10 days. My income isn't that high. I tried different
5 agencies. You can get an appointment, but sometimes
6 they don't have funds. So I just haven't been able to
7 do it. This is my third year trying.

8 Q. How have you been heating your house?

9 A. With electric heaters. I have one
10 electric heater. I haven't been able to sleep in my
11 bed for two years. It's kind of hard for me being
12 disabled.

13 COMMISSIONER LUMPE: Thank you very much.

14 THE WITNESS: Thank you.

15 JUDGE PRIDGIN: I don't have any
16 questions. Thank you so much, ma'am.

17 THE WITNESS: Okay.

18 JUDGE PRIDGIN: In case we have any
19 latecomers, if you do wish to testify, I will need you
20 to sign up on the witness list.

21 The next witness that I have is Doris
22 Thompson. Good afternoon.

23 THE WITNESS: Hello.

24 JUDGE PRIDGIN: If you would, please raise
25 your right hand to be sworn.

1 (Witness Sworn.)

2 THE WITNESS: I do.

3 JUDGE PRIDGIN: Thank you so much, ma'am.

4 DIRECT EXAMINATION

5 QUESTIONS BY JUDGE PRIDGIN:

6 Q. If you would, please state and spell your
7 name for the record.

8 A. My name is Doris V. Thompson, D-o-r-i-s V.
9 T-h-o-m-p-s-o-n. My address is 4032 Penrose,
10 P-e-n-r-o-s-e, St. Louis, Missouri 63107.

11 Q. Ms. Thompson, are you currently a customer
12 of Laclede Gas Company?

13 A. I am a customer of Laclede Gas but my gas
14 has been disconnected.

15 Q. Okay. Are you aware of how this program
16 might affect you?

17 A. Yes, I am.

18 Q. Okay. Ms. Thompson, any type of statement
19 or comments that you have?

20 A. Yes, I do. I think this would help not
21 only me but millions of people because it will help me
22 in a sense that if I can catch up, I -- maybe I can
23 keep up. But the catching up has been too hard for me
24 to even try to catch up. This way, if the bill is --
25 if the bill is limited to where I can pay it. At the

1 present time, I have no income. I'm 61 years old. I'm
2 in between Social Security and working. So I don't
3 have any income. I sell cans. I do stuff like that to
4 make my other bills. As far as this program helping
5 me, it will bring me out of a hole and I can still
6 maintain -- or have gas at least. Because I do cook
7 with my gas. I do take baths by gas. And I don't have
8 any electric appliances at all. So this would really
9 make a difference for me. This Catch-Up -- if they can
10 catch me up, I will do my best to keep it up.

11 Q. All right.

12 JUDGE PRIDGIN: Thank you, Ms. Thompson.
13 Commissioner Lumpe, any questions?

14 DIRECT EXAMINATION

15 QUESTIONS BY COMMISSIONER LUMPE:

16 Q. Ms. Thompson, you are disconnected now --

17 A. Yes, I am.

18 Q. -- is that correct? And how long have you
19 been disconnected?

20 A. I've been disconnected since June.

21 Q. Since June?

22 A. Uh-huh.

23 Q. So you haven't been able to use your --

24 A. No, I haven't. Due to all the tragedies
25 in my family and all of that, I haven't been able to do

1 anything, plus I got sick.

2 Q. And the key feature is that it would help
3 you catch up? Is that part of what you're saying?

4 A. Yes. If I ever get caught up, maybe I can
5 keep it up.

6 Q. Okay.

7 A. That's what I'm saying.

8 COMMISSIONER LUMPE: Thank you.

9 JUDGE PRIDGIN: Just one quick question,
10 Ms. Thompson.

11 RE-DIRECT EXAMINATION

12 QUESTIONS BY JUDGE PRIDGIN:

13 Q. When you say you were disconnected in
14 June, was that June of 2002?

15 A. Yes.

16 Q. All right.

17 JUDGE PRIDGIN: I don't think I have any
18 other questions. Ms. Thompson, thank you very much.

19 THE WITNESS: Uh-huh.

20 JUDGE PRIDGIN: The next witness that I
21 have signed up is Yvette Harris.

22 THE WITNESS: Hello.

23 JUDGE PRIDGIN: Good afternoon. If you
24 would, please raise your right hand to be sworn.

25 (Witness Sworn.)

1 THE WITNESS: I do.

2 JUDGE PRIDGIN: All right. Thank you,
3 ma'am.

4 DIRECT EXAMINATION

5 QUESTIONS BY JUDGE PRIDGIN:

6 Q. If you would, please state your name for
7 the record.

8 A. My name is Yvette Harris, Y-v-e-t-t-e,
9 last name H-a-r-r-i-s, 5806 Julian, J-u-l-i-a-n.
10 That's St. Louis, Missouri 63112.

11 Q. Ms. Harris, are you currently a customer
12 of Laclede Gas Company?

13 A. Yes, I am, but my gas is cut off.

14 Q. Okay. Have you been notified of how this
15 program might affect you?

16 A. Yes, I have.

17 Q. Any type of statement or comments you
18 would like to make now?

19 A. Yes, I do. I would like to make a
20 comment. I have a disabled son, and my disabled son --
21 he's 21 now. We're not able to keep the gas on because
22 my only income is SSI for my son. I'm in a big home,
23 and it's -- it's not weatherized. And in order to get
24 things weatherized, you have to go around asking for
25 things when it's sometimes too late. With it being

1 sometimes too late is because I have a disabled -- with
2 my son being disabled, it's hard to -- just to keep up
3 with a lot of things. He has cerebral palsy, and it's
4 bad with feeding and with trying to keep things warm
5 now with not having services on. It's just a hard
6 thing with having a disabled son in your home and you
7 don't have gas. And I have to bathe him. I have to --
8 I have to warm water to bathe him, and I have to warm
9 water to do a lot of different things for him. So the
10 Catch-Up-Keep-Up program will help me, but you have to
11 be caught up in order to keep up. And with the
12 income -- I'm not able to work because I -- I need a
13 caretaker in order to keep my -- for someone to keep my
14 son at home. And it's a hard thing having a disabled
15 son and not having gas. But I will be happy to have
16 someone to come and help me trying to get -- a
17 caretaker, but I need this program because I need gas.
18 It's getting cold. We've been out of gas for over --
19 almost two years now. And my family helps and
20 everything, but it's a hard thing to -- to try to keep
21 a disabled son together in his wheelchair and in his
22 bed and with a lot of different things, like feeding
23 him and a lot of different things.

24 JUDGE PRIDGIN: Ms. Harris, just a moment,
25 please. Commissioner Lumpe, did you have any

1 questions?

2 DIRECT EXAMINATION

3 QUESTIONS BY COMMISSIONER LUMPE:

4 Q. You said your gas has been off now for two
5 years?

6 A. Almost two years.

7 Q. What kind of fuel are you using now?

8 A. Electric.

9 Q. Electric? Thank you.

10 COMMISSIONER LUMPE: Thank you for coming.

11 JUDGE PRIDGIN: I don't have any
12 questions. Ms. Harris, thank you for your testimony.

13 The next witness I have is Willie Ayala.

14 If you would, please raise your right hand.

15 (Witness Sworn.)

16 THE WITNESS: I do.

17 JUDGE PRIDGIN: Thank you so much.

18 DIRECT EXAMINATION

19 QUESTIONS BY JUDGE PRIDGIN:

20 Q. If you would, please state and spell your
21 name for the record.

22 A. Willie Ayala, W-i-l-l-i-e A-y-a-l-a, 5258
23 Beacon Avenue, St. Louis, Missouri 63120.

24 Q. Ms. Ayala, are you a customer of Laclede
25 Gas Company?

1 A. Yes.

2 Q. And are you aware of how this proposed
3 program might affect you?

4 A. Yes.

5 Q. If you would, ma'am, make any type of
6 statement or comments that you have.

7 A. A comment. I've been a customer of
8 Laclede for many years. My gas has been off and on
9 back and forth over 10 years, but I have made an effort
10 to make payments. I feel that the program will assist
11 me very much. I am on a fixed income, Social Security.
12 SSI. I have a lot of medical problems. I just feel
13 that the program -- it will allow me to catch up where
14 if it's suitable, I'll be able to keep up and keep my
15 gas services on. I just feel that the rates sometimes
16 are pretty high at this point to where I'm not able to
17 afford to keep the gas services on. The request may be
18 greater than what my income is with other bills.

19 JUDGE PRIDGIN: All right. Thank you.
20 Commissioners Lumpe, any questions?

21 DIRECT EXAMINATION

22 QUESTIONS BY COMMISSIONER LUMPE:

23 Q. You say you've been on and off over -- you
24 said 10 years?

25 A. Yes, ma'am.

1 Q. So there are periods of time when you have
2 been able to keep up, as it were, but then other
3 periods of time when --

4 A. Yes, especially during the winter periods.
5 Close to the winter is when they shut me off.
6 Assistance comes in and helps me out with my bill
7 because of my income, and I get it back on.

8 Q. And this program you feel would help you
9 because of the way it would be implemented, the amount
10 that you would have to pay? Is that correct?

11 A. Yes, ma'am.

12 COMMISSIONER LUMPE: Okay. Thank you for
13 coming.

14 THE WITNESS: You're welcome.

15 JUDGE PRIDGIN: I don't have any
16 questions. Ms. Ayala, thank you for your comments
17 today.

18 THE WITNESS: You're welcome.

19 JUDGE PRIDGIN: The next witness I have is
20 Amy Tempel. Good afternoon.

21 THE WITNESS: Good afternoon.

22 JUDGE PRIDGIN: If you would, please raise
23 your right hand to be sworn.

24 (Witness Sworn.)

25 THE WITNESS: Yes, I do.

1 JUDGE PRIDGIN: All right. Thank you,
2 ma'am.

3 DIRECT EXAMINATION

4 QUESTIONS BY JUDGE PRIDGIN:

5 Q. If you would, please state and spell your
6 name for the record.

7 A. My name is Amy Tempel, A-m-y T-e-m-p-e-l.

8 Q. And your address, please?

9 A. 4232 Forest Park Boulevard 63139.

10 Q. And are you now a gas customer of Laclede
11 Gas Company?

12 A. I am, actually.

13 Right now I work with Legal Services of
14 Eastern Missouri. My title is Public Utilities
15 Ombudsman. I deal with utility problems among low
16 income and elderly clients in a 22 county area.

17 When my position was created last year,
18 the intention was to help clients with disputes that
19 they may have with utility companies. Unfortunately,
20 what I've discovered is that most of the disputes that
21 I'm handling are arranging payment plans and calls to
22 area agencies to try and find pledge money. Each file
23 takes an ever-increasing amount of time because the
24 money is so very hard to find. Also, it seems to be a
25 revolving-door problem with these people because if

1 they can come up with the money to turn or keep service
2 on, the payment plans are in arrears as well as their
3 usage. It is next to impossible to come up with.
4 Within months they find themselves back in the same
5 position they were when they first called.

6 This morning I spoke to a 69-year-old
7 single woman that I first met in July when her gas
8 service was disconnected for non-payment. The bill had
9 been underestimated because of a faulty meter for a
10 long period of time, she had a furnace that eventually
11 had to be replaced, so it may not have been the most
12 efficient, and all of this occurred in the 2000 season
13 when gas prices spiked. Ms. Walker owes Laclede Gas
14 \$3,443. They are willing to take a portion of that
15 amount to turn her service back on; however, the
16 arrears and usage amount would mean a payment of \$300 a
17 month. For a woman who collects Social Security, that
18 is an impossible amount for her to come up with every
19 month. I predict that if I'm able to find around
20 \$2,000 to restore her service, she will be disconnected
21 by February. She has other debts for which she is
22 behind. At one point I brought up the possibility of
23 declaring bankruptcy. She adamantly refused. She is
24 of the belief this is just not the right thing to do.
25 Because of this sense of pride, this arthritic

1 69-year-old woman is without hot water, her oven, or
2 heat.

3 There are dozens of stories, but the point
4 is all the same. These are real people who need a
5 solution, not a temporary fix. The Catch-Up-Keep-Up
6 program seems to be a decent one and a solution that is
7 desperately needed.

8 JUDGE PRIDGIN: Thank you, Ms. Tempel.
9 Commissioner Lumpe, any questions?

10 DIRECT EXAMINATION

11 QUESTIONS BY COMMISSIONER LUMPE:

12 Q. Ms. Tempel, is there some amount of money
13 that you're aware of that would -- that she could pay
14 that would allow her to keep up? Do you know what that
15 is?

16 A. Now with her furnace fixed and hot water
17 heater -- now that everything is in order, she could
18 pay \$100 a month, but with these arrearages -- you're
19 still talking \$1,700 that she owes back. So with the
20 payment plan on that, it just brings it up. And I
21 think when you do -- when they do the arrearage plan,
22 they also -- because I had also asked about doing an
23 actual reading and maybe she won't use that much gas.
24 They said when you're on a payment plan like that,
25 you've got the back debt that you owe, they want to go

1 ahead and do the budget plan because then they know
2 they're going to get their money back.

3 I think if she were brought up and caught
4 up, then, you know, and she was able to start over,
5 yeah, it would be okay. Her husband died. I mean, a
6 lot of things happened in that time period that got her
7 behind. You're not talking about somebody that just
8 purposely isn't paying or wants to get around them.
9 This is somebody that's had legitimate things that have
10 happened.

11 She's in a desperate situation now. With
12 this particular person, I'm having a hard time because
13 she has so much pride that she won't go to the food
14 bank because that's for people that really need help.
15 And she doesn't realize that she really needs help. I
16 think with our elderly you have that old-school pride
17 issue to where they don't want to go ask for help.
18 They'll sit in their coats and suffer. I truly believe
19 that if she were just caught up, it would -- she could
20 budget herself and it would be okay.

21 Q. Would the significant thing be what it
22 would take -- what the amount would be in the catch-up?

23 A. I'm sorry. I don't understand.

24 Q. What I'm trying to say is -- I heard some
25 of the other witnesses sort of say if the amount that I

1 had to put forward to keep up was proper -- is that a
2 significant issue?

3 A. Right now we're real close to finding
4 about \$1,700. I've got about \$1,700 together for her.
5 So, I mean, the -- getting the money -- I've been able
6 to come up with a certain amount of money, but like I
7 said, it's that other half. It's that back money
8 that's the real problem.

9 You know, there's -- the different
10 agencies that are out there, they can give you smaller
11 increments. They can give you a couple hundred here or
12 that kind of thing. They're not going to come up with
13 \$3,500 for someone. They can't do it. It's just not
14 possible. If you help that one person, you'd lose the
15 ability to help out the other clients, or people that
16 come to you.

17 And I have other clients that have large
18 bills. If you've got these large bills, it's real hard
19 to catch up on them, you know, because the agencies
20 basically turn you away and say, "Oh, that much?" "No,
21 we can't help you. There's no way we can come up with
22 that." That's when you've got this progressive -- year
23 after year they still don't have service on.

24 Q. The amount needed to catch up would be
25 something to consider?

1 A. Right.

2 COMMISSIONER LUMPE: Thank you.

3 JUDGE PRIDGIN: Ms. Tempel, just real
4 quickly, one question.

5 RE-DIRECT EXAMINATION

6 QUESTIONS BY JUDGE PRIDGIN:

7 Q. How many clients would you think that you
8 have that can benefit from this program?

9 A. At the present time -- like I said, we
10 just started this last year. At the present time, I
11 probably have 58 files, and I would say at least 40 of
12 them are simply -- there's not a dispute, there's not
13 regulation problems. They don't have the money.

14 Like I said, the intent of -- when I
15 started my job, it was going to be when the companies
16 weren't going by the regulations that I was supposed to
17 come in. That's not as much the problem as it is just
18 people that don't have the funds.

19 Q. Okay. Is it your testimony that you have,
20 roughly, 40 clients who are in arrears to Laclede Gas
21 Company who could benefit from this program?

22 A. Yes, at this point. Because there was an
23 influx with the -- you know, by October, November, in
24 that time. It hasn't been like that all year. But as
25 soon as it started getting cold, they started calling

1 and I started getting busier.

2 Q. All right.

3 JUDGE PRIDGIN: I don't have anymore
4 questions. Ms. Tempel, thank you for your testimony
5 today.

6 THE WITNESS: Thank you.

7 JUDGE PRIDGIN: The next witness is
8 Reverend Nance. Good afternoon, sir.

9 THE WITNESS: Good afternoon.

10 JUDGE PRIDGIN: If you would, please raise
11 your right hand and be sworn.

12 (Witness Sworn.)

13 THE WITNESS: I do.

14 DIRECT EXAMINATION

15 QUESTIONS BY JUDGE PRIDGIN:

16 Q. All right, sir. If you would, please
17 state and spell your name for the record.

18 A. Reverend Earl Nance, Jr., E-a-r-l,
19 N-a-n-c-e on the last name, comma junior.

20 Q. Reverend, your address, please?

21 A. 4146 West Pine Boulevard, P-i-n-e, Pine,
22 63108.

23 Q. Reverend, are you currently a customer of
24 Laclede Gas Company?

25 A. Yes, I am.

1 Q. And have you been notified, or are you
2 otherwise aware of how this proposed program might
3 affect you or others in your care?

4 A. I am aware.

5 Q. All right. Reverend, any type of
6 statement or comments you'd like to make?

7 A. Yes, sir, I would.

8 It's certainly a privilege to be back here
9 before the Missouri Public Service Commission. The
10 last time there was a regional energy assistance and
11 advocacy charity, it was to oppose the \$36.1 million
12 non-gas rate hike to Laclede Gas. The increase would
13 have produced significant hardships for the working
14 poor, elderly, and needy families of small children, as
15 you've seen today. We appreciate the dedication of the
16 PSC staff and the Commission in further negotiating
17 with Laclede Gas which ended with about a \$14 million
18 increase, and because of this, rate payers in the
19 eastern part of Missouri did get some relief. Today
20 we're here to pick up where our Chairman, J. Kimtucci,
21 spoke at the previous hearing. He is recovering from
22 hip surgery at this time.

23 We've heard there have been some slight
24 changes in an effort to help the gas ratepayers digest
25 the Laclede Gas Catch-Up-Keep-Up program. Even with

1 the removal of the proposed 10 percent from Laclede's
2 profit, pocket, the revised program still needs work.
3 The revised proposal appears to be a sincere effort to
4 help eligible low income customers through financial
5 assistance, but, respectfully, the Laclede Gas
6 Catch-Up-Keep-Up program may hurt the same people it
7 wishes to help. Laclede Gas proposes to fund this
8 program, in part, with pipeline discounts it receives.
9 Those discounts are currently being enjoyed by all of
10 Laclede's ratepayers. The current proposal is an
11 unfortunate situation which has pitted us against them,
12 "us" being many hard working-class people, including
13 those who are swimming upstream in an effort to make
14 their payment on the car, rent, mortgage bills, during
15 a very challenging time in our economy, "them" being
16 low income customers who are still making choices
17 between just the basics of life, heating or eating, or
18 heating or high prescription drug bills. These
19 individuals, along with us, are already facing a
20 potential increase of upwards to 17 to 20 percent in
21 our natural gas bills this winter. If you add another
22 estimated 30 percent from the savings of the pipeline
23 discount fees, we will be back at about a 50 percent
24 increase in our gas bills this coming winter, based on
25 the approval time. And if the PSC approves the Laclede

1 Catch-Up-Keep-Up program as it is now at the same time
2 as its refusal to invoke the Emergency Amendment to the
3 Cold Weather Rule, it will not provide financial relief
4 to many of us who do not qualify for the
5 Catch-Up-Keep-Up program. Most of these needy
6 customers just cannot afford the high natural gas costs
7 each month. Laclede's program does not wipe away the
8 financial burden of their needy customers, and it
9 should. Compassion over profits must be one
10 alternative. I know Laclede is a truly compassionate
11 company and cares about its needy neighbors. I think
12 they need to use some of those profits to wipe totally
13 clean millions of dollars in arrearages. That would
14 really catch them up. It is clear to Heat Up St. Louis
15 that many of those needy families will not be able to
16 catch up. The program punishes those needy neighbors
17 by canceling them from the program when they cannot
18 afford to stay caught up.

19 Laclede Gas says that, under extenuating
20 circumstances, it will reinstate needy families who
21 fall behind, and that's good; however, that proposal
22 does not spell out what the extenuating circumstances
23 are. And to insure that a program protects the needy,
24 the PSC has the responsibility to enforce the fine
25 print. What happens to the rest of us when we are

1 asked to give monthly to the Laclede Gas Dollar-Help
2 program, which is on a voluntary basis? This program
3 and others like it are a great voluntary effort to help
4 our needy neighbors. Laclede does a modest
5 matching-funds program with Dollar-Help, so why not put
6 some significant bucks into its Catch-Up-Keep-Up
7 program? Laclede wishes to take away our 30 percent
8 pipeline discount savings causing havoc for many lower
9 and middle-income households whose income levels do not
10 qualify them for a Catch-Up-Keep-Up program.

11 In the end, Laclede will profit from the
12 program, no one else, as the program only deals with
13 its gas customers. The Missouri Public Service
14 Commission can not afford to have an image of
15 supporting corporate welfare, and I know that is not
16 the intent of the Catch-Up-Keep-Up program or the image
17 that Laclede Gas would like to convey.

18 Using our pipeline service savings is a
19 very dangerous alternative. When you take 30 percent
20 out of the equation, it will force an increase of
21 another 30 percent for all customers, including the
22 needy families who LaClede Gas is truly attempting to
23 help. Someone has to make up that difference. There
24 is no mechanism which protects these needy families who
25 enlist in this program from the 30 percent which will

1 rebound back as an increase on their monthly gas bills.
2 Many needy households will barely be able to pay their
3 arrearages.

4 The bottom line is that Laclede needs to
5 wipe clean, 100 percent, the arrearages of its low
6 income customers by using its profits, or create a
7 yearly special discount rate for seniors, the disabled,
8 and needy families who find natural gas not affordable.
9 These are two great compassionate programs. They will
10 not cause the unfair appearance of robbing Peter to pay
11 Paul.

12 So thank you for the opportunity to come
13 before you. At this time, I defer that all questions,
14 if there are any, be deferred to our President, Gentry
15 Trotter, who will probably follow me next.

16 JUDGE PRIDGIN: All right. Thank you,
17 Reverend.

18 The next witness on the list is Gentry
19 Trotter. Good afternoon, sir. Would you please raise
20 your right hand to be sworn?

21 THE WITNESS: I'm not going to swear. I
22 will affirm.

23 (Witness Affirms.)

24 THE WITNESS: I affirm.

25 JUDGE PRIDGIN: Thank you very much.

1 DIRECT EXAMINATION

2 QUESTIONS BY JUDGE PRIDGIN:

3 Q. Mr. Trotter, would you please state and
4 spell your name for the record.

5 A. Gentry W. Trotter, T-r-o-t-t-e-r,
6 G-e-n-t-r-y. I am President of Heat Up St. Louis and a
7 Laclede Gas customer.

8 Q. All right. Thank you, sir. Would you
9 please state your address?

10 A. 1509 Washington Avenue is the address
11 representing Heat Up St. Louis.

12 Q. Is that here in St. Louis, Missouri, sir?

13 A. Oh, yeah. It's right on Washington
14 Avenue.

15 Q. Mr. Trotter, have you been notified, or
16 are you otherwise aware of how this program will affect
17 you or those in your care?

18 A. Well, based on a few nods in the audience,
19 it has changed since the original filing. But in
20 general, we have a general knowledge of how it works.
21 There have been some changes with -- I heard -- when I
22 was in Washington -- or in Jefferson City there were
23 some changes with 10 percent of the profit going back
24 to Laclede, then there was some changes on the amount
25 for the pipeline that they were allowing for the

1 pipeline savings. So some things have varied.

2 Q. Okay.

3 A. So we're -- based upon the fact that we
4 never got all of the updated information. So whatever
5 the percentage is -- when we say 30 percent, or
6 thereabouts, or whatever the original, when we say
7 that, it is whatever it is at the time.

8 Q. All right. Mr. Trotter, any further
9 statement or comments that you have?

10 A. Yes, I do.

11 Q. Whenever you're ready, sir.

12 A. I thank you, Reverend Nance. Reverend
13 Nance is Vice Chairman of Heat Up St. Louis.

14 I think, basically, Reverend Nance said it
15 all. It would be nice for all of these people who we
16 weep with and we go home and -- as you know, Reverend
17 Nance is a minister. His church is full with people
18 who cannot afford their utility bills. So we're with
19 him 100 percent.

20 The bottom line is -- from my personal
21 standpoint is that they need to forgive the entire
22 arrearage. If you're going to have a program that's
23 called Catch-Up, then you're going to have to have a
24 mechanism to keep it going. And based upon the large
25 amount of -- of arrearages and the people who suffer

1 the most, I don't think they'll ever be able to keep up
2 unless Laclede, through its compassion, wipes that off
3 the books and lets these people and all the people who
4 call us on our hot line -- let them start with a
5 balance of zero. Then they have a better chance of
6 keeping up and remaining on line.

7 And then the other alternative -- before I
8 go into this, obviously -- is for these people and
9 everyone across the eastern part of Missouri is to
10 establish a discount -- special discount rate for
11 people. That's a great alternative because then it's
12 mandated, it's equitable, and the people who can can,
13 the people who can't can't. If we do that, I think
14 we'll be far ahead.

15 I want to just say, in my prepared text,
16 that this is a gloomy and sad day for gas ratepayers in
17 the eastern part of Missouri. Everyone in this room
18 clearly understands and we've heard there is a large
19 class of people who just can't afford high natural gas
20 as a home heating source. We've heard testimony
21 earlier. But each winter the numbers mount and
22 organizations like Heat Up St. Louis and so many other
23 great energy assistance programs, like Dollar-More and
24 Dollar-Help, and those social service agencies, and
25 community action agencies who qualify those people, are

1 concerned that some of our neighbors will be without a
2 healthy, safer and warmer winter. The Laclede Gas
3 program called Catch-Up-Keep-Up is a great approach to
4 utility profitability; however, it is a cold, harsh and
5 unequal reality to the families in this audience and to
6 the families in eastern Missouri in a need to make a
7 difference, and it's unfair for those people holding on
8 to their fingernails, needing that pipeline discount
9 savings just to make those ends meet.

10 It's a sad day, ladies and gentlemen,
11 because the Missouri Public Service Commission has been
12 relegated to hearing which actually gives the gross
13 impression of promoting corporate welfare. The Laclede
14 Gas program of Catch-Up and Keep-Up robs Peter to pay
15 Paul. Peter is a set of twins. Two sets of gas
16 taxpayers. The first is those who have been buffered
17 by the seesaw economy and who have a few extra dollars
18 and can make quick adjustments to the challenges of
19 their budgets. The second Peter twin represents people
20 in moderate incomes and many who are facing daily
21 challenges with their home budget, attempting to pile
22 funds away for their kid's college tuitions, needing to
23 have their partners work a second job, enjoying some
24 pleasure like an occasional movie on cable television,
25 or sales at Famous and Barr (sic) and Dillard's. They

1 move around some cash, in part, because of this very
2 hot summer with electric bills because the air
3 conditioners kept running almost daily. They're
4 counting on that savings, whatever was the final rate
5 filed by Laclede Gas.

6 Many of these individuals are gladly
7 giving to gas utility charities, wonderful charities
8 like Dollar-Help and Dollar-More and Heat Up St. Louis,
9 a non-utility Charity, on a volunteer basis, and I am,
10 too, every month. Many of these households can handle
11 the anticipated 17 percent or more that is anticipated.
12 It's already been published in the paper, in the Post
13 Dispatch, 17 percent or more of a raise in natural gas
14 costs this winter.

15 Utility companies play a game. They say,
16 well, that has nothing to do with this. It all has
17 something to do in the basic knowledge of common sense.
18 Whether it's natural gas caused by the Mid East and
19 it's natural gas costs passed on that Laclede had to
20 pay, it's still a cost, and people have to carry that
21 burden. You add that cost with whatever Laclede is
22 doing -- it doesn't matter if they're not asking for
23 the 17 percent. It's a cost that we have to pay, all
24 of us in this room, who live in the eastern part of
25 Missouri.

1 I want to tell you that this 30 percent,
2 or whatever it was at the final filing, was a safety
3 net, a budget safety net, for many of these people.
4 Once Laclede Gas removes this budget safety net --
5 Madam Commissioner -- once Laclede Gas removes it from
6 the Catch-Up-Keep-Up program, their budgets can also
7 crash. They have the potential of crashing. They have
8 the potential, in a twinkling of an eye, to have an
9 unsafe, unhealthy, and cold environment this winter.

10 The savings, whatever they are in the
11 filing, makes a difference for this group of people in
12 this audience, as you've heard, and for all of us a
13 significant difference. We say two things on that.
14 Forgive these people. Forgive the \$2,000, forgive the
15 \$2,000, forgive the \$4,000 if you really are putting
16 compassion before profit, or come up with a program to
17 help them and others where they're not strapped between
18 making choices between heating and eating and other
19 issues.

20 Once Laclede Gas has robbed the Peter
21 twins with the support of the Missouri Public Service
22 Commission, that is, if they approve this, the monies
23 will go to Paul. Respectfully, Paul represents our low
24 income people, the faces you've seen here today, the
25 faces in the city, the voice that's on the telephone,

1 the faces on the news cast, the faces and bodies that
2 you see in the news because someone has an unsafe
3 method of heating his or her home in the winter when
4 Sherman George's crew from the Fire Department
5 discovers them, or carbon monoxide poisoning. We've
6 seen those people in this room and across the region,
7 in St. Louis County, in St. Charles County and other
8 rural areas. Faces of gloom and doom we've seen today,
9 and we hear their voices each and every day, Madam
10 Commissioner. Faces who cry, as many of these ladies
11 were and many of these gentlemen are but yet
12 disappointed that they're in these financial straits.
13 No one wants to be a deadbeat. These are the same
14 faces many who call each day on our Heat Up St. Louis
15 resource hot line looking for energy, dealing with
16 life-threatening stories of despair just like the
17 ladies who left and this lady probably.

18 An elderly lady on a fixed income who
19 needs additional medication, whose grocery bills are
20 going up -- her gas bill is \$1,500. A single mother
21 barely making ends meet with three small kids in her
22 household. The children's attention span and education
23 has been placed on hold, Madam Commissioner and members
24 of the Commission staff and members of the Laclede's
25 staff, members of the Dollar-Help board, members of the

1 Heat Up St. Louis board and other guests -- they've
2 been placed on hold because they have to go from one
3 home to another, an aunt, an uncle, a relative, just to
4 keep warm -- to stay warm each and every winter. She
5 doesn't have any gas yet. Probably like you and some
6 of the other people who were here earlier, didn't have
7 it. The Public Service Commission has these wonderful
8 rules that gives them an opportunity not to have it.
9 And now we're faced with another shame, in my opinion.
10 Her bill is \$2,500. She's looking for that solution
11 like all of these ladies here, for that relief, but due
12 to her living expense variances, she'll become a
13 backslider of the proposed Catch-Up-Keep-Up program,
14 and there is no promise to insure that her debt is
15 totally wiped out -- that her debt is totally wiped
16 out.

17 The alternatives, we've discussed them
18 earlier. Begin with a zero balance. Wipe the slate
19 clean. These are two workable solutions. It is very
20 charitable of Laclede Gas, a wonderful bunch of people
21 who have a lot of community spirit across this region
22 -- it's very charitable of them to desire to reduce the
23 level of their uncollectibles. It works to the
24 advantage of their profits, to the advantage of those
25 people who own Laclede Gas stock. And there's nothing

1 wrong with that as long as it's not on the backs of the
2 poor, and I'm afraid it is. It is very charitable of
3 them to reach out and help many of these needy
4 ratepayers that you've seen today and still see several
5 in the room with our money, our savings, their savings
6 as well. And maybe no one told them that this
7 percentage, whatever it was, when we -- you filed it at
8 the end -- no one probably told them that they, too,
9 are going to have to deal with that loss of those
10 savings. No one has told them. So if they had an
11 attitude that they could catch up and then they can
12 keep up, somebody has got to pay for that difference.
13 Somebody in this room has to pay, and I'm afraid it's
14 going to be all of us. Who's going to give many of us
15 the difference if it's 20 percent, 30 percent, whatever
16 the difference is? How many families barely making it
17 will be forced into similar situations with arrearages
18 because their gas bills have been unfairly jacked up?
19 They cannot qualify for energy assistance. We're
20 talking about a different level of people that can't
21 qualify for social service agencies or the community
22 action agencies based upon their income. They can't.
23 They have already got this high price of gas, no matter
24 who did it, coming up -- regular gas coming up. Now
25 they have a miracle. From Laclede's standpoint, it's

1 not a miracle. It's a sad situation.

2 They can't qualify, either, Madam
3 Commissioner, because your chairman and others from the
4 Missouri Public Service Commission has not evoked the
5 Emergency Amendment of the Cold Weather Rule. For that
6 group of people, it would, in fact, give the working
7 family an opportunity to pay their utility obligations
8 over a long period of time.

9 A relief in the budget for the non-Paul
10 types, too, is needed. The Laclede Gas program long
11 term could, in fact, put more ineligible, no income
12 customers in this program. The program readily aids
13 the gas utility in catching up with its profits, by no
14 means putting any major funds into the till like it
15 does for Dollar-Help. The gas company is using the
16 Public Service Commission to mandate our support for
17 needy families who have no ironclad promises that
18 eventually they will have a zero balance when they
19 continue on this program. All the more the reason for
20 saying wipe the slate clean if you're going to do
21 something dramatic, if you're going to do something
22 different. Let these women and men go home with
23 dignity. Let them -- help them. This is unfair to
24 hard working Missourians as well to those needy
25 families, many who are not responsible. They're not

1 responsible. Heat up St. Louis' board members,
2 Dollar-Help board members, staff members, Commission
3 members, many of them are not responsible for the hard
4 luck that has followed them. Our pipeline discounts --
5 and I say "ours" because it is ours, because we get
6 that savings -- should remain intact and continue to
7 give many of these two Peter twin-types the opportunity
8 to also pull ahead of Old Man Winter but stay ahead of
9 a perception of corporate greed.

10 In America we're asked to volunteer to
11 help so many of our good neighbors. And through good
12 programs that I previously stated for the record again
13 and again, Dollar-Help, Dollar-More, Heat-Up-St-Louis,
14 are all making a difference, but the reality is, and
15 everybody knows it in this room, that's not enough.
16 It's not enough to make a difference.

17 It's an outrage for a utility monopoly to
18 assume that we are that dumb that we can't count and
19 that we do not know how you shuffle that, when you're
20 moving here to move over there, when you're moving a
21 percentage here to move over there. We know that if we
22 lose that percentage from many of our budgets, it's
23 going to make a significant difference.

24 I can only imagine that if it comes down
25 to it being mandated, it will probably cause a lot of

1 grief, not just for those seniors, not for those people
2 on welfare, not for those people just on -- just
3 working poor, not for those people who have medical
4 issues. It's going to cause grief, and not just to
5 them but to people barely holding on.

6 And all I want to say to you in my
7 conclusion here is that if the remaining ratepayers,
8 Madam Commissioner, have to put money in the till --
9 and you lawyers can call it whatever you want, but it
10 all comes down to that. Whatever way, it comes down.
11 If we have to do it, then we think Laclede Gas needs to
12 be first. After all, it is your profit. Relief
13 shouldn't spell profit. It should spell compassionate
14 alternative, ladies and gentlemen, not by thoughts but
15 by deeds.

16 We are very, very concerned about this
17 winter. We're very concerned because it seems like we,
18 as Heat Up St. Louis people, can't keep up with the
19 lawyers and the lobbyists and the Public Service
20 Commission. This is a tragedy. We've got to do
21 something to help these people, and we've got to do
22 something that's fair and equitable to all
23 and especially something that does not create a lawsuit
24 by some public advocate group out there to say you
25 can't do one over the other. We have to be able to

1 look hard and sound and do what we can to help these
2 people.

3 JUDGE PRIDGIN: Thank you, Mr. Trotter.
4 Commissioner Lumpe, any questions?

5 COMMISSIONER LUMPE: Just two,
6 Mr. Trotter.

7 DIRECT EXAMINATION
8 QUESTIONS BY COMMISSIONER LUMPE:

9 Q. I think what I'm hearing is that the
10 proposal, the way the money would be gathered, is not
11 an appropriate way to do it, that it will push other
12 people into a need? Did I hear you correctly?

13 A. Yes, ma'am.

14 Q. All right. And then the second thing I
15 think I heard you say was that we should address the
16 emergency rule again for this winter?

17 A. The Emergency Amendment of the Cold
18 Weather Rule. Yes, ma'am.

19 Q. Of the Cold Weather Rule? Okay. I wanted
20 to make sure that I thought I heard you correctly.

21 COMMISSIONER LUMPE: Thank you. Thank you
22 for coming.

23 JUDGE PRIDGIN: All right. I have no
24 questions, Mr. Trotter. Thank you very much.

25 The last witness that I have signed up, at

1 least at this time, is a Susan Talve. I don't know if
2 I'm pronouncing that name correctly.

3 If there are others who wish to testify,
4 if you would, please come forward and sign up.

5 Good afternoon. If you would, please
6 raise your right hand to be sworn.

7 (Witness Sworn.)

8 THE WITNESS: I do.

9 JUDGE PRIDGIN: All right. Thank you very
10 much.

11 DIRECT EXAMINATION

12 QUESTIONS BY JUDGE PRIDGIN:

13 Q. If you would, please state and spell your
14 name for the record.

15 A. My name is Susan Talve, T-a-l-v-, like
16 Victor, e.

17 Q. And your address, please?

18 A. 5020 Waterman 63108.

19 Q. And Ms. Talve, are you currently a gas
20 customer of Laclede Gas Company?

21 A. I'm a Laclede Gas customer, and I'm also a
22 member of the Dollar-Help board.

23 Q. All right. Thank you. Have you been
24 notified, or are you otherwise aware how this proposed
25 program would help those in your care?

1 A. Yeah.

2 Q. All right.

3 A. I hope so.

4 Q. Okay.

5 A. You know, I'm not the best technically, up
6 on this, but I think I do understand it. And I'm glad
7 I got to hear Gentry speak and also Reverend Nance, who
8 I have a tremendous amount of respect for and have
9 worked together on these issues for a long time. I
10 tried to listen really closely. I agree with Reverend
11 Nance. I'm also a Rabbi, so we -- you know, we tend to
12 think about the promised land and want things right for
13 all people. Our job is really to listen to the
14 suffering and to try to respond in the holiest ways
15 that we can. That's one of the things that drew me to
16 the Dollar-Help board.

17 And I -- I would love to work, you know,
18 on some kind of, you know, solution to everyone's
19 problem with arrears. I think having Laclede pay up
20 would be a great thing, but I don't see -- and forgive
21 me -- everyone's arrears, which is, I think, what I
22 heard Reverend Nance saying. You know, I'll preach
23 that with you. I also don't think that's why we're
24 here today.

25 I think we have an opportunity, with the

1 30 percent pipeline savings, to take that money and
2 decide what to do with that money. I understand that
3 Laclede originally wanted to use \$6 million of that
4 money but then the PSC staff and the Office of Public
5 Counsel requested a cap of \$4 million. I still think
6 that \$4 million will make a big difference in the lives
7 of many of our -- the poorest of our poor.

8 I was recently at a meeting of the people
9 who work on the front line at our agencies that
10 distribute IHEAP, Dollar-Help, and Heat Up St. Louis
11 funds, and hearing them speak about the urgency again
12 of people -- they can give the limited IHEAP with and
13 that are so appreciative of the volunteer funds that
14 they're able to -- we've been raising more and more
15 money every year. The community has been more generous
16 because I think we've begun to really educate
17 ourselves, that not one group is going to solve this
18 problem, this really has to be a public, private, and
19 community partnership, that it's not any one person's
20 problem, that we all have to give.

21 You know, who's going to pay for it?
22 Who's going to pay for it? I think we all have to pay
23 it. Yes, I want to see Laclede do its job. My
24 experience is that they are being very generous,
25 especially in their support of the Dollar-Help program.

1 That's certainly been my experience. And I would --
2 but I am also a contributor to Heat Up St. Louis and
3 Dollar-Help. As a contributor to those community
4 funds, I want to see us get the most bang for our buck.
5 That means that, if we can, even with this capped
6 \$4 million in this time-limited program that we can
7 watch very carefully, I think we'll see that it's going
8 to make a tremendous difference in the lives of the
9 people whose stories we heard here this morning.

10 I know the agency people. We also -- we
11 give Dollar-Help funds also to non-Laclede customers,
12 people who have other vendors. And they were very
13 jealous of this program. I think they would love to
14 have a program that would really make a dent in
15 people's -- really take care of people's arrears so
16 that the money that we are able to give people really
17 feels like it's making a difference for them and gives
18 them a sense of pride and dignity, that will allow them
19 to keep up with their payments. Because the truth is
20 if people are helped with their budgeting, they can do
21 something, and people feel much better about doing
22 something.

23 As I understand it -- again, I may not be
24 right with this, but if the rebate ends up being even
25 \$6 million, with 600,000 Laclede customers, that comes

1 up to be \$10 a year. Well, I, for one, would rather
2 see my \$10 a year go into a fund that's going to take
3 care of the suffering in St. Louis. Even if it doesn't
4 take care of every Laclede customer -- I understand
5 that this first set of funds is going to go to people
6 whose gas has already been cut off. So it really is
7 going to go to the people who are out there suffering
8 the most, and I feel really good about that. So I'm
9 proud to be part of this public-private community
10 partnership that will help, that really seems to me --
11 unless I'm missing something, it really seems to me
12 this program will really help people catch up. And
13 we'll be there with you. We're not going to let
14 anybody have to do this alone. This is us altogether
15 working to help people catch up and then to help them
16 keep up. So thank you.

17 JUDGE PRIDGIN: All right. Thank you very
18 much. Commissioner Lumpe, any questions?

19 DIRECT EXAMINATION

20 QUESTIONS BY COMMISSIONER LUMPE:

21 Q. Rabbi Talve, the \$4 million or \$6 million
22 that you're talking about, do you support that as a cap
23 so that the discount that is being used for these funds
24 would not pull other people into the need -- into
25 needing these funds?

1 A. I'm not sure I -- I know this was
2 explained to me.

3 Q. The issue is that if you use the discounts
4 from the pipelines, okay, and --

5 A. It will make other people poorer because
6 they don't have it?

7 Q. That's right, because they won't have the
8 discount, etcetera. I'm asking, do you support there
9 be a cap so those other people won't get more into the
10 need?

11 A. If it will keep our rates as low as they
12 can possibly be so that we don't make more people at
13 risk for having their gas cut off.

14 Q. Thank you for understanding my question.

15 A. If that's the way it's going to work, I
16 understand. I think it's a compromise for sure, and I
17 support that compromise. If doing the math, it really
18 -- it makes that work, I do understand that.

19 COMMISSIONER LUMPE: Thank you for coming.

20 JUDGE PRIDGIN: I don't have any
21 questions. Thank you very much, ma'am.

22 I have no further witnesses signed up. Is
23 there anyone else who wishes to testify?

24 Mr. Pendergast, a comment?

25 MR. PENDERGAST: Yes. Your Honor, I don't

1 wish to testify. I do, briefly, for the record, want
2 to make a statement.

3 I think there was a little confusion
4 earlier today in some of the testimony about the
5 potential impact of the Catch-Up-Keep-Up program and
6 some concerns that it would result in a 30 percent
7 increase in rates. Regardless of how you want to go
8 ahead and view that and how it operates, the \$6 million
9 capped amount that the company had requested is
10 probably around 1, 1 1/2 percent of our overall cost of
11 service. I just didn't want people to leave the
12 meeting with the impression that that would somehow
13 result in a 30 percent increase for every customer.
14 That certainly isn't the intention, and it certainly
15 wouldn't have that effect.

16 JUDGE PRIDGIN: Mr. Trotter?

17 MR. TROTTER: Am I still under oath?

18 JUDGE PRIDGIN: You're still under oath.

19 MR. TROTTER: I think people can add. It
20 is, in fact -- I think, Rabbi -- whoever briefed her
21 had the same impression that we had, that I have, and
22 there's a whole set of different people. So the
23 reality is it's a significant amount, whether it's
24 30 percent or whatever it is. It is a significant
25 amount. The last time it was published, it was, in

1 fact, in the Post Dispatch. The editorial did say
2 30 percent.

3 And I can't ask any questions because you
4 can't really answer; is that correct?

5 JUDGE PRIDGIN: That's correct.

6 MR. TROTTER: I want to make it clear I
7 don't think -- I hope the Post wasn't in error, and I
8 hope that Rabbi Talve and her testimony wasn't in
9 error, and I hope that, in fact, as the Laclede Gas
10 people do administer their program for Dollar-Help --
11 and I would like to think that we know it's a
12 significant amount of funds and that significant amount
13 of funds -- as you know, what I said was, whatever --
14 whatever that amount is, whether it's 10, 20, 30,
15 40 percent, whatever -- however the lawyers dance
16 around it and the lobbyists, the bottom line is it is a
17 significant amount of money. I don't want anybody
18 leaving here thinking that they're going to get away
19 scot-free and that that particular amount of money,
20 whatever the amount is -- excuse me, not the amount of
21 money but that particular savings would not impact you
22 because it does impact you. Somebody is going to make
23 the difference up on that. I mean, give me a break
24 here. Unless I'm in the Twilight Zone, and I've been
25 accused of that from time to time, somebody is going to

1 have to make up those differences, whatever it is. I
2 don't care if it's 2 percent, if it's 30 percent.
3 Somebody is going to have to make it up, and those are
4 the people that we talked about earlier. Those are the
5 people over there.

6 And you cannot compromise with the poor.
7 You can't compromise with people who have health
8 issues. You can't compromise with people who have
9 dignity and who try to work everyday to stay ahead.
10 There is no compromise. When you're doing God's work
11 and taking care of the poor and elderly, there is no
12 compromise. It is either you give it up or you play
13 games. And it's hard for some people to give it up
14 when you're a monopoly.

15 JUDGE PRIDGIN: Thank you, Mr. Trotter.

16 Do I have any further witnesses who wish
17 to testify?

18 All right. I have already sworn you in,
19 ma'am.

20 MS. HUTCHINSON: My name is Jacqueline
21 Hutchinson, J-a-c-q-u-e-l-i-n-e H-u-t-c-h-i-n-s-o-n.

22 JUDGE PRIDGIN: Any comments?

23 MS. HUTCHINSON: Yes. I'd like to just
24 kind of make comments as an individual. The first time
25 I was here my comments were as an employee of the Human

1 Development Corporation and as a person that is working
2 with the customers that need the assistance. And I'd
3 like to just make a couple of comments as a person who
4 pays the gas bill every month and would be affected by
5 this program because it would cost me.

6 And I'm not necessarily totally endorsing
7 the methods that have been set up to fund this program
8 because I think that the Office of the Public Counsel
9 still has more information about that and will help to
10 negotiate that. But I do want to say as an individual
11 who has neighbors that may not be able to pay their
12 bills that I don't have a problem -- I was quite
13 annoyed by the dollar refund check I got from the
14 State. I don't have a problem if I get -- if I'm going
15 to get a dollar a month refund. That is -- my
16 understanding of what it's going to cost, is
17 approximately a dollar a month. The 30 percent figure
18 that -- my understanding was it would be a total of
19 30 percent of the pipeline refunds that the gas company
20 would use for this program, the other 70 percent would
21 still go back to the customers. That was my
22 understanding of what I read in the Post Dispatch. And
23 that 30 percent would cost me approximately \$1 a month.
24 And I'm here to say that, as a Laclede Gas customer who
25 knows that there are people out there suffering, I am

1 more than willing to give up that \$1 a month or \$2 a
2 month to help my neighbors.

3 So I just wanted to clarify that. I don't
4 think all of us would prefer to go on a shopping trip
5 to Dillard's rather than to try to make sure that our
6 neighbors are warm. Thank you.

7 JUDGE PRIDGIN: Ms. Lumpe, any questions?

8 COMMISSIONER LUMPE: No.

9 JUDGE PRIDGIN: I have no questions.

10 Mr. Trotter, one final time, please.

11 MR. TROTTER: Thank you. I feel like a
12 member of Congress.

13 I agree with the previous speaker. The
14 problem is logic and fairness, and maybe that just
15 doesn't work in a monopoly. I'm already paying \$1 a
16 month. Rabbi Talve knows that. My friend, Mr. Moten,
17 knows that. It's on my bill, a \$1 a month. You're
18 going to mandate -- and it all comes out still to
19 30 percent, however long -- however -- if it's ever --
20 if it's two years, three years, four years, whatever.
21 I guess my concern is I'm paying -- I'm volunteering
22 that, and I'm giving to other charities to help with
23 that. And I guess my concern -- my real gut concern
24 is, and it really is a legitimate issue, is that if I'm
25 giving that dollar a month or more, then my question

1 is -- you're going to mandate it, as the Public Service
2 Commission, to be probably more. So now I'm giving a
3 dollar to my gas bill on -- Dollar-Help, Dollar-More,
4 the electric company, too. That's \$2, \$3. I'm giving
5 that as a volunteer, as a gas usage -- taxpayer right
6 here in the area, region. My question again is -- I'm
7 doing that as a volunteer. Now I'm going to have to be
8 mandated by a regulatory agency to help Laclede with
9 its profits because it's not going -- as Sister Talve
10 pointed out earlier, the previous speaker -- pardon me,
11 Sister Talve -- most of those programs go to gas,
12 electric, propane, oil, boom, boom, boom. In this
13 case, it's going strictly to gas company, so it's going
14 to their bottom line. And I do have a problem, if I'm
15 doing the volunteer status of \$1, \$2 -- or maybe now we
16 should do \$5 a month to make sure this doesn't happen.
17 If I'm doing that, my question then to you is -- I'm
18 volunteering. In America -- this is a democracy. Now
19 you're telling me I'm going to have to pay it? Then my
20 question back to you is why should I give to any other
21 charities if it's going to be mandated, whatever the
22 percentage is. And that's a concern. You can't have
23 your cake and eat it, too. That's what we have here.
24 We have profits on one hand saying that, well, we do
25 administrative programs, we underwrite them, we all

1 underwrite our administrative programs, God bless us
2 all, some of us can get that money back through rate
3 increases. There is a possibility of that. But the
4 question that remains is I do it. I volunteer it. I
5 would like to give more. Now we're going to mandate,
6 by the Public Service Commission, that we're going to
7 have to take this out, so, therefore -- that \$1 extra,
8 I'd rather give it than be mandated. I would rather it
9 not go to the profit line of Laclede. I would rather
10 it go to the profit line of the gas, the home heating
11 oil, the electric companies, and everybody within the
12 eastern part of Missouri so we can make a difference.

13 Sorry, Your Honor. I just wanted to
14 clarify my position.

15 JUDGE PRIDGIN: That's quite all right.
16 Ms. Lumpe, any questions?

17 COMMISSIONER LUMPE: No.

18 JUDGE PRIDGIN: I have no questions.

19 I have no further witnesses signed up. Is
20 there anyone who wishes to be heard before we close?

21 Hearing nothing, that will conclude this
22 local public hearing. This hearing is adjourned, and
23 we are off the record.

24

25

1 STATE OF MISSOURI)

2 CITY OF ST. LOUIS)

3

4 I, Candace A. Quick, a Certified Court
5 Reporter and Notary Public for the State of Missouri, do
6 certify that I was present at Wainwright State Office
7 Building, Room 116, 111 North Seventh Street, St. Louis,
8 Missouri, on the 18th day of November, A.D., 2002; that
9 thereafter, a hearing was held, commencing at 12:00 p.m.
10 of that day, that all proceedings which then transpired
11 were contemporaneously reduced to shorthand by me, and
12 later transcribed into typewriting, and that the
13 foregoing 65 pages are a true and accurate transcript of
14 the record of proceedings made by me at that time.

15 IN WITNESS WHEREOF, I have hereunto set my
16 hand and Seal this 25th day of November, A.D., 2002.

17 MY COMMISSION EXPIRES MARCH 6TH, 2006.

18

19

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CANDACE A. QUICK, CCR, CSR

22

Notary Public, within and for

23

the State of Missouri

24

25

