PUBLIC SERVICE COMMISSION LOCAL PUBLIC HEARING JULY 16, 2019 ROCK PORT, MISSOURI NOCK PORT, MISSOURI Pression of Union Electric Company d/b/a Ameren Missouri for Certificate of Public Convenience and Approval and a Certificate of Public Under 4 CSR 240-3.105. CHARLES HATCHER, Presiding CHARLES HATCHER, Presiding CHARLES HATCHER, Presiding MILLIAM P. KENNEY, Commissioner Reported by: Emily S. Bergren, RPR, CRR, MO CCR #1353 Alaris Litigation Services 1608 Locust Street Kansas City, Missouri 64108 816.221.1160	1	STATE OF MISSOURI
4 JULY 16, 2019 5 ROCK PORT, MISSOURI 6 VOLUME 2 7	2	PUBLIC SERVICE COMMISSION
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 VOLUME 2 In the Matter of the Application of Union Belectric Company d/b/a Ameren Missouri for File No. EA-2019-0181 Permission and Approval and a Certificate of Public Convenience and Necessity Under 4 CSR 240-3.105. CHARLES HATCHER, Presiding Regulatory Law Judge MILLIAM P. KENNEY, Commissioner Reported by: Emily S. Bergren, RPR, CRR, MO CCR #1353 Alaris Litigation Services 1608 Locust Street Kansas City, Missouri 64108 816.221.1160 	4	JULY 16, 2019
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1 (Proceedings commenced at 12:21 p.m.) 2 JUDGE HATCHER: Let's go ahead and go on 3 Today is July 16, 2019. The Missouri the record. 4 Public Service Commission has set this time for a 5 local public hearing in Case Number EA-2019-0181, 6 which is captioned as In the Matter of the Application 7 of Union Electric Company d/b/a Ameren Missouri for 8 Permission and Approval and a Certificate of Public 9 Convenience and Necessity Under 4 CSR 240-3.105. The commission has scheduled this local public hearing to 10 11 give members of the public a chance to comment about 12 Ameren's application. 13 Commissioner Bill Kenney is on his way. 14 He's currently delayed in traffic. He should be here 15 momentarily, but we will have all comments available 16 for all of the commissioners to review. But I remain 17 conscious of everyone's valuable time here today, so I 18 wanted to go ahead and get started with the hearing, 19 and when Commissioner Kenney comes in, he'll come and 20 join me at the head table. 21 The Missouri Public Commission regulates 22 the rates charged by public utility companies in 23 Missouri to ensure that those rates are just and 24 reasonable. The Commission also regulates the quality 25 of service and the safety of the operations of public

1	utilities. The Commission is made up of five
2	commissioners. The commissioners are appointed by the
3	governor to fixed terms and confirmed by the senate.
4	The Commission is employed of staff of engineers,
5	accountants, attorneys, financial analysts, and other
6	specialists in the field of utility regulation.
7	Again, my name is Charles Hatcher. I am
8	the Regulatory Law Judge and will preside over this
9	hearing. This is, again, an official hearing of the
10	Missouri Public Service Commission, and the statements
11	and testimony of witnesses will be recorded by a court
12	reporter and must be given under oath. All of the
13	commissioners will have the opportunity to read all of
14	the witnesses' statements. And additionally, I will
15	brief the commissioners on what was said here today.
16	The commissioners do value your comments.
17	I will begin the hearing by asking Counsel
18	enter their appearance for the record. No need to
19	come forward, Counsel. If you could, just stand and
20	make sure that the court reporter can hear you.
21	Ameren?
22	MR. LOWERY: Thank you, your Honor.
23	James Lowery, law firm of Smith Lewis, LLP,
24	P.O. Box 918, Columbia, Missouri 65205. Appearing on
25	behalf of Ameren Missouri.

JUDGE HATCHER: And Commission Staff? 1 MS. KLAUS: Thank you, Judge. On behalf of 2 3 staff, Alexandra Klaus, and my information has been 4 provided to the court reporter. JUDGE HATCHER: Office of the Public 5 6 Counsel? 7 MR. HALL: Good afternoon. Caleb Hall appearing on behalf of the Office of Public Counsel. 8 9 My contact information has already been provided to the court reporter. 10 JUDGE HATCHER: And now, I'll start with 11 12 the intervenors who are now parties. Renew Missouri Advocates d/b/a Renew 13 Missouri? 14 15 Missouri Department of Conservation? 16 Missouri Department of Economic 17 Development, The Division of Energy? 18 Natural Resources Defense Counsel? 19 Sierra Club? And I would note for the record that the 20 21 five that I have just named, there was no response. 22 The last party is Western Missouri and 23 Kansas Laborers District Counsel. 24 MR. COFFMAN: Good afternoon. John B. 25 Coffman on behalf of the Labor Union. My address is

1	871 Tuxedo Boulevard, Saint Louis, Missouri 63119.
2	JUDGE HATCHER: All right. That's pretty
3	much it with the introductions.
4	The process for this afternoon is I will
5	call the names on the sign-up sheet in the order that
6	they appear. When I call your name, please come on
7	down to the podium. I will place you under oath and
8	then ask you to state and spell your name, and then
9	you can offer your comments to the Commission. There
10	is no specific time limit for comments, but please try
11	to keep your remarks at about five minutes to make
12	sure that everyone has a chance to testify.
13	And also, the commissioners and I will not
14	be able to answer any questions. This is to gather
15	information from the public, and the commissioners and
16	myself are needing to remain impartial until all of
17	the evidence is presented at an evidentiary hearing,
18	and that will be a little bit later on.
19	Again, the Commission has not made any
20	decisions in this case, and the Commission is
21	interested in your comments.
22	So with that, I'm going to start calling
23	the list. After I finish calling the list, I'll ask
24	again if there's any other comments that any other
25	commenters that would like come up and state their

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1	comment who have not signed up on the list, so we'll
2	make sure that everybody has a chance, and I'll double
3	check before we end the hearing.
4	All right. Let's go ahead and call the
5	first person up. We have James R. Turner. If you
6	would, please come to the podium.
7	Mr. Turner, if you would please state and
8	spell your name, please.
9	MR. TURNER: James R. Turner, T-u-r-n-e-r.
10	JUDGE HATCHER: And what would like to
11	express to the Commission?
12	MR. TURNER: I'm here to speak in support
13	of this application.
14	My wife, sons, and a grandchild reside in
15	Kansas City, Missouri. We know with concern that the
16	Weather Channel has said that Kansas City is fifth
17	from the top of the list of cities most endangered by
18	the consequences of climate heating. Excessive heat
19	will be suffered by cities like these, and we're also
20	concerned about the impact on the agricultural economy
21	for the midwest region.
22	A hunter atmosphere holds more water vapor
23	resulting in heavier rains and more flooding, such as
24	we are seeing this year. It makes for uncertain times
25	of planting and harvesting. All of this can affect

1	the productivity of our agricultural region with
2	economic consequences for our entire midwest.
3	Therefore, we need less coal and gas burning, because
4	it excretes fossil fuels that create more greenhouse
5	gases which cause this climate heating.
6	Lazard's studies on levelized costs of
7	energy show that wind is now the lowest cost generator
8	of electrical energy.
9	We should limit also the use of gas because
10	fracking for gas is having adverse consequences on our
11	important water supplies which are adversely affected
12	by run-off from the fracking solutions. We also don't
13	want our subsurface waters polluted by fracking.
14	So for all of these reasons, this wind
15	project is an important forward step. It will provide
16	good help to our rural economies with the lease
17	revenues and with the tax revenues for local counties.
18	And the the wind industry will help to grow jobs
19	for our entire region. For all these reason, I
20	support the application.
21	JUDGE HATCHER: Mr. Turner, if you could
22	hold on for just a second. I forgot something, and
23	it's my fault. I need to swear you in, sir.
24	Do you solemnly swear or affirm that the
25	testimony that you just gave is the truth, the whole

Page 9

1 truth, and nothing but the truth? 2 MR. TURNER: I do. 3 JAMES R. TURNER, 4 being first duly sworn testified under oath as 5 indicated above. 6 JUDGE HATCHER: Thank you, Mr. Turner. 7 Anything else you have to comment on? 8 MR. TURNER: No. 9 JUDGE HATCHER: Okay. Thank you, sir. Curtis Livengood. And sir, if you would 10 11 please state your name and spell your last name? 12 MR. LIVENGOOD: Curtis Livengood, 13 L-i-v-e-n-q-o-o-d. 14 CURTIS LIVENGOOD, 15 being first duly sworn testified under oath as 16 follows: 17 JUDGE HATCHER: Please go ahead and tell 18 the Commission what your thoughts are. 19 MR. LIVENGOOD: Again, I'm the presiding 20 commissioner here in Atchison County, and the 21 Commission, itself, here in the county, we -- our 22 issue earlier on was with the taxation of making sure 23 that we kept the dollars local here, and since the 24 governor signed a bill last week that will keep the 25 taxes local, at this time, we don't have any

1	opposition to granting the certificate of convenience.
2	We have three other farms here in the county. They
3	keep tax dollars local. They provide jobs for local
4	people that and overall, we seem to be getting
5	along pretty well here in the county. So I just
6	wanted to make that statement, that we don't have any
7	opposition to it at this time.
8	JUDGE HATCHER: All right. Thank you, sir.
9	And Ms. Monica Bailey. Ms. Bailey, would
10	you please state and spell your last name?
11	MS. BAILEY: Monica Bailey, B-a-i-l-e-y.
12	MONICA BAILEY,
13	being first duly sworn testified under oath as
14	follows:
15	JUDGE HATCHER: And would you please
16	proceed with your comments?
17	MS. BAILEY: Sure. I'm here today in
18	support of this application. I'm Monica Bailey, the
19	executive director of Atchison County Development
20	Corporation, our county-wide economic development
21	office. In rural counties like ours, recruiting a new
22	industry is difficult. We simply lack the empty
23	buildings and human resources often required for
24	companies looking to locate in our state and region.
25	Wind energy is the best economic

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1	development tool currently available to our county.
2	Wind projects create quality jobs that enable bright,
3	talented, young people to live here. These
4	multimillion dollar investments benefit our schools,
5	libraries, hospitals, 911 services, senior services,
6	fire districts, road districts, and county
7	improvements and operations. Locally assessed wind
8	energy projects have provided Atchison County with
9	unparalleled economic opportunity. Because we've
10	passed legislation that ensures that tax dollars from
11	publicly owned wind farms stay local, we fully support
12	this project.
13	JUDGE HATCHER: Thank you, Ms. Bailey. Are
14	there any other comments you'd like to offer?
15	MS. BAILEY: No.
16	JUDGE HATCHER: Thank you. Please go ahead
17	and take your seat.
18	COMMISSIONER KENNEY: I would like to
19	apologize. I did not think that the hearing was going
20	to start until 12:30. I've been in my truck outside.
21	But I am one of the five commissioners who will hear
22	this case. The other four will have the opportunity
23	to review your testimony. Again, thank you for
24	showing up. I appreciate that.
25	JUDGE HATCHER: And I do apologize. That

1 was my miscommunication with the Commissioner's 2 office. 3 Scott Howell is our next person to come up 4 and testify. Mr. Howell, please state your name and 5 spell your last name for the record. 6 MR. HOWELL: Scott Howell, H-o-w-e-l-l. 7 SCOTT HOWELL, 8 being first duly sworn testified under oath as 9 follows: 10 JUDGE HATCHER: And Mr. Howell, if you'd 11 like to go ahead and tell the Commission what your 12 thoughts are. 13 MR. HOWELL: Okay. Well, I am here in 14 support of this. I'm a former resident of this town, 15 this county. Also, a former representative of the 16 Laborers Union in Saint Joe, Missouri. And what I 17 want to discuss or talk about is the economic impact and development that this -- these kinds of jobs have 18 19 when they do use local people when they build them. 20 We've done Farmers City I think back in 21 2010 and a couple others since then and got along real 22 good. We had approximately 60 people on those jobs 23 from these communities in northwest Missouri, and now, 24 we've seen a trend now of some of the latest ones 25 using people from out of town, and we're just -- we've seen that trend in the last three, I think, and we just want to speak in favor of local help. And right now, the local help in this community, in this area with experience are union members. JUDGE HATCHER: Thank you, Mr. Howell. Any questions from the bench? COMMISSIONER KENNEY: I don't think so. JUDGE HATCHER: Thank you. And Ms. Nancy Dunham. And Ms. Dunham, would you please state your name and spell your last name for the record? MS. DUNHAM: Nancy Dunham, D-u-n-h-a-m. NANCY DUNHAM, being first duly sworn testified under oath as JUDGE HATCHER: Thank you. If you'd please MS. DUNHAM: I'm a landowner in the Outlaw Wind Project area around Westboro, and even if I wasn't, I would still be in favor of this wind farm because wind is an unlimited, free, renewable

22 resource. Harvesting wind power is a clean,

23 non-polluting way to generate electricity. Unlike

24 other types of power plants, it emits no air

pollutants or greenhouse gases, and wind energy is far 25

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go ahead.

more eco friendly than the burning of fossil fuels for 1 2 electricity. 3 And I'm appalled at the hydraulic fracking, 4 which is the technique to recover gas and oil from 5 shale rock. It causes earthquakes and water pollution 6 among just a couple things. And the other thing that 7 appalls me is the mountaintop mining where they just 8 remove the top of the mountain and just let everything 9 fall down into the gullies. It just destroys the environment. 10 So anyway, I very much am in favor of this 11 12 project. 13 Some of the -- another big plus are the 14 jobs that it will provide Atchison County as the others have mentioned. Even during construction, it 15 16 keeps the local businesses going with lodging and 17 food. 18 And the final thing is that continuing tax 19 revenues are a huge plus to the local economy, because 20 we're a very small -- I mean, our whole county is 21 hardly as big as a small town, and we need something 22 besides agriculture and this is a good way to get good 23 jobs with benefits for local people. 24 JUDGE HATCHER: Thank you, Ms. Dunham. 25 Gary Bogenreif. I apologize if I --

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1 MR. BOGENREIF: No. You got it right. 2 JUDGE HATCHER: Excellent. Well, please 3 come up to the podium. 4 JUDGE HATCHER: If you could, please state 5 your name again and spell your last name. 6 MR. BOGENREIF: Gary Bogenreif, 7 B-o-q-e-n-r-e-i-f. 8 GARY BOGENREIF, 9 being first duly sworn testified under oath as follows: 10 11 JUDGE HATCHER: Thank you. Please go 12 ahead. 13 MR. BOGENREIF: I'm a local landowner at 14 the Westboro area also, and I've been a supporter for 15 many years of the wind power projects for a couple of 16 reasons. 17 The first is, I think with a fairly small 18 footprint, you know, the farmer or the landowner can 19 have some valuable income for their operation and will 20 help them out. 21 But the second thing is that with the 22 recent flooding, and I don't believe in the next five 23 or ten years that as the resident -- that we will be 24 increasing the number of residents in this county. So 25 income, taxable income, I don't see it as increasing

1	from the local people, so this is a good chance to
2	have taxable income to the county to continue their
3	work, to our ambulance system, to our local school
4	systems, and to the many volunteer fire departments
5	that we have in this area. So I am very much in favor
6	of this.
7	JUDGE HATCHER: Thank you, sir.
8	And Gary Vette.
9	MR. VETTE: Hello. My name is Gary Vette,
10	V-e-t-t-e.
11	JUDGE HATCHER: Thank you, Mr. Vette.
12	GARY VETTE,
13	being first duly sworn testified under oath as
14	follows:
15	JUDGE HATCHER: Thank you. Please go
16	ahead.
17	MR. VETTE: I just want to say I fully
18	support this project. I'm a landowner and a farmer,
19	and this project, there's three different ones around
20	us, and I know a lot of the farmers that have
21	windmills, and I've never heard anything heard any
22	of them say anything bad. And I think that Atchison
23	County could use the benefit from this project, and
24	like I said, I just fully support it.
25	JUDGE HATCHER: Thank you.

1	And I had mentioned at the beginning of the
2	hearing, I would call for any other comments after we
3	got done with the list. That is the end of the list
4	of pre-signed-up attendees. If anyone else would like
5	to testify, raise their hand or come forward.
6	All right. And I see no hands. No one is
7	coming forward. I would like to thank all of our
8	participants this afternoon for their testimony.
9	Are there any comments from the bench.
10	COMMISSIONER KENNEY: No comments.
11	JUDGE HATCHER: If anyone does have any
12	additional comments, or someone cannot be present to
13	make a comment and they would like to, you may make
14	written comments by contacting the office of the
15	Public Counsel or going to the Public Service
16	Commission's web page. This hearing is now adjourned,
17	and we are now off the record.
18	(Proceedings concluded at 12:41 p.m.)
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		Page 18
1	I N D E X	
2	WITNESS:	PAGE
3	JAMES TURNER	7
4	CURTIS LIVENGOOD	9
5	MONICA BAILEY	10
6	SCOTT HOWELL	12
7	NANCY DUNHAM	13
8	GARY BOGENREIF	15
9	GARY VETTE	16
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11	EXHIBITS	
12	No exhibits were marked or referenced.	
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1	CERTIFICATE OF REPORTER
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3	I, Emily S. Bergren, a Certified Court
4	Reporter within and for the State of Missouri, do
5	hereby certify that the foregoing proceedings were
6	taken by me to the best of my ability and thereafter
7	reduced to typewriting under my direction; that I am
8	neither counsel for, related to, nor employed by any
9	of the parties to the action in which this record was
10	taken, and further that I am not a relative or
11	employee of any attorney or counsel employed by the
12	parties thereto, nor financially or otherwise
13	interested in the outcome of the action.
14	Emily 3. Bergren
15	Chiney D. Sbuyer
16	Emily S. Bergren, RPR, CRR, CCR #1353
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