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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
TRANSCRIPT OF PROCEEDINGS  
Local Public Hearing  
June 10, 2014  
St. Louis, Missouri

Noranda Aluminum, Inc., )  
et al, )

Complainants, )

) File NO. EC-2014-0223

vs. )

Union Electric Company, )  
d/b/a Ameren Missouri, )

Respondent. )

Noranda Aluminum, Inc., )  
et al, )

Complainants, )

) File No. EC-2014-0224

vs. )

Union Electric Company, )  
d/b/a Ameren Missouri )

Respondent. )

MORRIS L. WOODRUFF, Presiding  
CHIEF REGULATORY LAW JUDGE  
ROBERT S. KENNEY, Chairman  
STEPHEN M. STOLL,  
WILLIAM P. KENNEY,  
DANIEL Y. HALL,  
SCOTT T. RUPP,  
COMMISSIONERS

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A P P E A R A N C E S

For the Complainants:

Ms. Diane Vuylsteke  
Bryan Cave LLP  
211 North Broadway, Ste. 3600  
St. Louis, MO 63101  
(314) 259-2000  
dmvuylsteke@bryancave.com

For the Respondent:

Ms. Wendy Tatro  
Corporate Counsel  
Legal Department Ameren  
1901 Chouteau Ave.  
ST. LOUIS, mo 1310  
(314) 554-3484  
wtatro@ameren.com

For AARP and Consumer Council

Mr. John B. Coffman  
Attorney at Law  
871 Tuxedo Blvd.  
St. Louis, MO 63119  
(314) 395-8002  
john@johncoffman.net

For the Office of Public Counsel:

Mr. Marc D. Poston  
Department of Economic Development  
200 Madison Street  
Jefferson City, MO 65102  
(573) 751-5558  
marc.poston@ded.mo.gov

1 A P P E A R A N C E S C O N T I N U E D

2

For the Public Service Commission:

3

Ms. Akayla Jones

4

Public Service Commission Staff

Counsel

5

P.O. Box 360

Jefferson City, MO 65102

6

7

8

Court Reporter:

9

S. Denise Ballard, RPR

Missouri CCR #702

10

Illinois CSR #084-004355

Midwest Litigation Services

11

711 North Eleventh Street

St. Louis, Missouri 63101

12

(314) 644-2191

1-800-280-DEPO

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PROCEEDINGS

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(Starting time of the local public hearing: 6:00 pm)

JUDGE WOODRUFF: Hello, once again.

We're ready to start the formal part of the conference here. And once again, my name is Morris Woodruff, I'm the Chief Regulatory Law Judge from the Public Service Commission. I'll be the presiding officer here. I want to introduce a couple people right now. To my left is the Chairman of the Commission, Robert Kenney.

CHAIRMAN KENNEY: Good evening -- good evening, everybody. Thank you for taking time out of your schedule on a Tuesday night to come and participate in this local public hearing, on a rainy Tuesday night at that. This is your opportunity to express your opinion, your feelings about Noranda's request, and we look forward to listening to your testimony. There are five commissioners. Myself and Commissioner Stoll are here, but you should know that this part is the formal part of the hearing in which your testimony will be transcribed by the court reporter. The other commissioners will have an opportunity to read the testimony, and read the

1 remarks that you provide. So again, thank you for  
2 being here for this critical component in the case,  
3 and we look forward to hearing your testimony.

4 JUDGE WOODRUFF: And to my right is Mr.  
5 Stephen Stoll.

6 COMMISSIONER STOLL: I will just simply  
7 welcome everyone here tonight. Thanks for coming  
8 out, and I look forward to hearing your testimony.

9 JUDGE WOODRUFF: Thank you. And the  
10 procedure is that there was a sign-up sheet out in  
11 the lobby. I'm going to go down the list of names.  
12 I noticed that there were several people who  
13 testified again in Caruthersville last night. You  
14 are welcome to testify again tonight, but I am going  
15 to call the other names first to give everybody a  
16 chance to participate, speak their peace to the  
17 Commission. When I call your name, if you could,  
18 come forward and take a seat up here at the  
19 microphone, and I'll swear you in to tell the truth,  
20 the whole truth and nothing but the truth. And you  
21 can make your statement to the Commission.

22 So, the first name I am going to call  
23 is, Senator Eric Schmidt. Senator, I spoke too  
24 soon. You can stay there, but we need to take  
25 entries of appearances of the attorneys here,

1 beginning with Ameren.

2 MS. TATRO: Good evening, Wendy Tatro.  
3 1901 Chouteau Avenue, St. Louis, Missouri 63103.

4 JUDGE WOODRUFF: And for Noranda.

5 MS. VUYLSTEKE: Diana Vuylsteke. I'm  
6 from the law firm, Bryan Cave LLP, 211 North  
7 Broadway, Suite 3600 St. Louis, 63101.

8 JUDGE WOODRUFF: For the staff of the  
9 Commission.

10 MS. JONES: On behalf of the Staff of  
11 the Missouri Public Service Commission, Akayla  
12 Jones, P.O. Box 360 Jefferson City, Missouri 65102.

13 JUDGE WOODRUFF: And for the public  
14 council.

15 MR. POSTON: Marc Poston, for the  
16 Office of the Public Council.

17 JUDGE WOODRUFF: AARP and the Consumer  
18 Council.

19 MR. COFFMAN: Appearing on behalf of  
20 AARP and Consumer Council of Missouri, John B.  
21 Coffman.

22 MR. WOODRUFF: Any other attorneys here  
23 want to enter their appearance? All right. Now,  
24 Senator Schmidt, if you would please raise your  
25 right hand.

1 (Whereupon the witness was duly sworn  
2 by the judge.)

3 JUDGE WOODRUFF: What would you like to  
4 tell us?

5 SENATOR SCHMIDT: Thank you,  
6 Mr. Chairman and Commissioner Stoll. My name is,  
7 Eric Schmidt. I represent the people of the 15th  
8 district in St. Louis County. As the Commission is  
9 aware, 101 years ago, the Missouri General Assembly,  
10 along with the governor, established the Public  
11 Service Commission. The Commission regulates  
12 industrial, electric, steam, natural gas, water and  
13 sewer, and telephone companies. It's vision is to  
14 ensure Missouri consumers have access to safe,  
15 reliable and reasonably priced utility service,  
16 while allowing those utility companies in the Public  
17 Service Commission's jurisdiction an opportunity to  
18 earn a reasonable return on their investments.  
19 There is no doubt this commission plays a critical  
20 role in energy policy and utility rates for the  
21 consumers of energy, and the regulated monopolies  
22 that supply it.

23 Prior to my service in the Missouri  
24 Senate, I had very limited knowledge of the Public  
25 Service Commission's role in what my utility bill

1 was and for the other consumers who pass those costs  
2 and their costs along to me in the products that I  
3 purchase. Since my service began in 2009, and as  
4 one of the senior members of the chamber now, I've  
5 learned much about the Public Service Commission's  
6 role in this finely wrought, regulatory framework  
7 that we have in our state. For me, the 2013  
8 legislative session was particularly instructive and  
9 I appreciate the commission's indulgence in  
10 providing at that time, requested information on the  
11 ESRIS (ph sp) issue to the General Assembly. It is  
12 important to point out, which is the thrust of my  
13 comments here tonight, that this is the appropriate  
14 venue for these issues to be decided. Not through  
15 the legislature where the regulatory process is  
16 often sought to be altered to exclude costs or  
17 investments from a typical rate case to bolster  
18 profits that are already guaranteed. Whether it was  
19 the ESRIS issue, another form of a tracker or a  
20 plant in service accounting issue which this  
21 commission said was, quote, a solution in search of  
22 a problem.

23                   The Public Service Commission is  
24 charged with the important task of considering cost,  
25 profits, and rates in a rate case. The legislature

1 should not be in the business of tilting the scales,  
2 or for that matter, pulling cost out of a rate case  
3 that should be considered in the full context of all  
4 relevant considerations. That has been my position  
5 and the position of many of my constituents and why  
6 I personally opposed a number of bills seeking to  
7 fundamentally alter the Public Service Commission's  
8 ability to protect consumers and why I am here  
9 tonight to support this process. I would also be  
10 remiss if I did not point out the larger and broader  
11 legislative context and rate cases, there has been  
12 no stauncher advocate for consumers, all consumers,  
13 than Noranda. Furthermore, I know you will be  
14 mindful of the impact of potentially losing Noranda  
15 -- Noranda as a consumer not only with the  
16 constituents I represent in St. Louis County, but  
17 the number of jobs at stake, good paying jobs in  
18 Southeast Missouri.

19 As Chairman of the Senate Economic  
20 Development Committee, I can tell you, we have gone  
21 into special sessions for those kind of jobs. But  
22 in the end, it is not my job to tell you what to do  
23 here tonight. My job as a senator is to continue to  
24 guard against the erosion of your authority in the  
25 attempt to stack the deck in rate cases against

1 consumers. We need to fight against policies that  
2 limit your ability to take all factors, costs  
3 savings, etc. into consideration in the rate case.  
4 A rate case like the one you are hearing here  
5 tonight. It is your job to take all of those  
6 relevant factors into consideration and make a just  
7 decision. I wish you the best. Much is at stake.  
8 Thank you for your time here tonight and most  
9 importantly, for your service.

10 JUDGE WOODRUFF: Mr. Chairman, do you  
11 have any questions?

12 CHAIRMAN KENNEY: I don't have any  
13 questions, sir. Thank you for being here and thank  
14 you for your thoughtful comments.

15 JUDGE WOODRUFF: Commissioner Stoll?

16 COMMISSIONER STOLL: Likewise, thank  
17 you for being here. I appreciate your comments.

18 JUDGE WOODRUFF: Do the parties have  
19 any questions for the senator? Thank you. The next  
20 name on the list is Representative Marcia Haefner.  
21 Good evening.

22 REPRESENTATIVE HAEFNER: Good evening.

23 JUDGE WOODRUFF: Please raise your  
24 right hand.

25 (Whereupon the witness was duly sworn

1 by the judge.)

2 REPRESENTATIVE HAEFNER: Thank you. My  
3 name is Marsha Haefner. I represent the 95th  
4 district in South St. Louis County. I wear several  
5 hats this evening. One as a representative of  
6 38,000 residents in South St. Louis County and  
7 businesses, and as a small business owner myself and  
8 a resident. I guess the concern that I have is,  
9 what I'm hearing from Noranda is that if they're not  
10 granted this decrease in the rates that they already  
11 receive, is that they may take their jobs or close  
12 the aluminum plant. And I truly am skeptical as to  
13 this being the be-all, end-all solution to their  
14 financial issues. As was discussed earlier, there  
15 are many other items at play than the fact that  
16 their bottom line isn't what they would like it to  
17 be. My concern for every small business in the  
18 region that has Ameren as their electric provider is  
19 that we're picking a winner here at the cost of the  
20 other losers, the other small businesses in the  
21 region.

22 I own a small green house company. One  
23 of the biggest expenses we have is our fuel cost.  
24 After cost of goods sold, salaries, is the fuel  
25 cost. That is something we really struggle with in

1 our industry. And I don't think that my industry is  
2 alone in this. And I just would ask respectfully,  
3 that the Commission considers the other businesses  
4 that will take on the burden of increased costs, as  
5 well as other residents in order to let Noranda have  
6 a lower energy cost. This is a big deal for  
7 economic development in the state of Missouri. I  
8 spent the entire morning in an economic development  
9 seminar at the Lake of the Ozarks. And one of the  
10 best things Missouri, especially the St. Louis  
11 region, has going for it is the low energy costs.  
12 It's a big consideration when companies decide where  
13 they're going to set up their business. And I truly  
14 believe that allowing one company to enjoy further  
15 benefits with lower costs at the expense of other  
16 companies would be detrimental to economic  
17 development in the region and I respectfully ask  
18 that you oppose the request. Thank you.

19 JUDGE WOODRUFF: Thank you, ma'am.  
20 Mr. Chairman?

21 CHAIRMAN KENNEY: I don't have any  
22 questions, Representative Haefner, but thank you for  
23 being here.

24 COMMISSIONER STOLL: I express the same  
25 sentiment. Thank you for being here.

1 REPRESENTATIVE HAEFNER: I appreciate  
2 your time.

3 JUDGE WOODRUFF: Thank you, ma'am.  
4 Representative Penny Hubbard.

5 JUDGE WOODRUFF: Good evening.

6 (Whereupon the witness was duly sworn  
7 by the judge.)

8 JUDGE WOODRUFF: Thank you.

9 REPRESENTATIVE HUBBARD: Thank you,  
10 very much. I'm here, I represent the 78th direct,  
11 and I'm here today to support and also to speak on  
12 behalf of my district. At this time, my district  
13 cannot stand a rate increase. I have a lot of  
14 seniors in my district. I have a lot of low income  
15 persons that live in my district. And I'm here to  
16 ask that all that be taken into consideration. And  
17 I also want to state that it's unfair for the  
18 residents that live in this district, not only my  
19 district, but the other districts in the City of St.  
20 Louis that are barely making it as it is, and they  
21 cannot afford a rate increase. And I just think we  
22 ought to be doing something else besides trying to  
23 have them get an increase. If big businesses cannot  
24 pay their bills, then I think we ought to look at  
25 other resources, not the low income. Thank you.

1 JUDGE WOODRUFF: Any questions?

2 CHAIRMAN KENNEY: I don't have any  
3 questions Representative Hubbard, but thank you for  
4 giving us your perspective on behalf of your  
5 constituents. Thank you for being here.

6 COMMISSIONER STOLL: Thank you, ma'am.

7 REPRESENTATIVE HUBBARD: Thank you.

8 JUDGE WOODRUFF: Representative Michael  
9 Butler. Good evening.

10 REPRESENTATIVE BUTLER: Good evening.

11 (Whereupon the witness was duly sworn  
12 by the judge.)

13 REPRESENTATIVE BUTLER: For the record,  
14 I am State Representative Michael Butler. I  
15 represent the 79th district in St. Louis City.  
16 Welcome to the 79th district. You are currently in  
17 it. And today, I just want to go on record to talk  
18 about this issue that I've heard from different  
19 constituents about. Of course, you all and we all  
20 know this is an issue between two big money  
21 organizations who are very profitable; and they both  
22 have smart people, they've got good messages on both  
23 sides, and they both have supporters in the room  
24 from both sides that both think differently about  
25 this issue. But what's important to me and the 34,

1 35 thousand people I represent is how this affects  
2 the public. And that's why you all have these  
3 public hearings, to hear what the people in the  
4 state think. And the PSC staff has already made it  
5 clear, they've already drastically studied this  
6 issue and they've said it's going to cost the public  
7 27 million dollars. Anything that results in a rate  
8 increase for the people in St. Louis City or around  
9 this state or in our zone would be detrimental to  
10 us. Especially at a time we are trying to drag  
11 ourselves out of a bad economy. We're almost out of  
12 that. With that being said, I stand against this  
13 measure, stand against this case, and I hope that my  
14 constituents will be proud that their rates were not  
15 increased as a result of candidates most of them,  
16 generally, have no idea about. Thank you.

17 JUDGE WOODRUFF: Questions?

18 CHAIRMAN KENNEY: No questions,  
19 Representative Butler. Thank you for being here,  
20 and welcoming us to your district.

21 REPRESENTATIVE BUTLER: Thank you.

22 CHAIRMAN KENNEY: Thank you.

23 JUDGE WOODRUFF: Representative  
24 Rochelle Gray or Gary. Good evening.

25 (Whereupon the witness was duly sworn

1 by the judge.)

2 JUDGE WOODRUFF: Thank you. And if you  
3 could tell your name to the court reporter, I think  
4 I may have --

5 REPRESENTATIVE GRAY: Good evening.  
6 I'm Representative Rochelle Walton Gray of the 75th  
7 district, which is in North St. Louis County. I  
8 just want to testify that I have got several  
9 correspondence from many of my constituents who have  
10 concerns that this is a bailout. And they are  
11 concerned that if this is allowed for Noranda, will  
12 there be other companies that will make the same  
13 requests? And primarily, they just do not want  
14 their rates to increase for any reason. But they  
15 are concerned about this particular issue at this  
16 time. So I just wanted to make that clear that my  
17 constituents have, like I said, corresponded that  
18 they are very concerned about this matter and they  
19 do not want their rates to increase.

20 JUDGE WOODRUFF: Thank you. Questions?

21 CHAIRMAN KENNEY: No questions,  
22 Representative. Thanks for being here. Thanks for  
23 sharing you perspective.

24 COMMISSIONER STOLL: Thank you.

25 REPRESENTATIVE GRAY: Thank you.

1 JUDGE WOODRUFF: Representative Genise  
2 Monticello. Good evening.

3 (Whereupon the witness was duly sworn  
4 by the judge.)

5 REPRESENTATIVE MONTICELLO: My name is,  
6 Genise Monticello. I represent the 92nd district in  
7 South St. Louis County, and I am here to represent  
8 my constituents of that district. I have received  
9 communications from numerous constituents. They are  
10 very concerned about this bailout. They have voiced  
11 very vocal opposition to this. They are also  
12 concerned about their rates being increased. I  
13 represent a district that, in fact, I have more  
14 seniors in my district, in the 92nd, than anywhere  
15 else in the state. And I receive calls throughout  
16 the year. My constituents have a difficult time  
17 paying the fuel costs, whether it be gas in the  
18 winter or electric in the summer. I get calls  
19 frequently about constituents that are on oxygen and  
20 other life support measures that they need to be  
21 able to pay their rates. And I think that this  
22 would be a very big detriment and burden to them.  
23 So I, as well as my constituents oppose this  
24 bailout.

25 JUDGE WOODRUFF: Thank you, ma'am. Any

1 questions?

2 CHAIRMAN KENNEY: No. Thank you very  
3 much for being here.

4 JUDGE WOODRUFF: Robert Bonney. Good  
5 evening.

6 (Whereupon the witness was duly sworn  
7 by the judge.)

8 MR. BONNEY: My name is Robert Bonney  
9 and I'm the director of the Missouri Restaurant  
10 Association. Which is a trade association that  
11 works on behalf of the food service and hospitality  
12 industry in our state. We realize that the request  
13 by Noranda to have relief in its rates would result  
14 in restaurants, who are also large users of  
15 electricity, having a slight increase in their cost.  
16 Typically, for a restaurant, after food and labor,  
17 and possibly rent, electricity is their largest cost  
18 on their P&L.

19 Tonight I am here to speak on behalf of  
20 Noranda's rate request. Because MRA believes that  
21 without Noranda becoming a purchaser of electricity  
22 from Ameren, the restaurants would be looking at a  
23 much larger rate increase than would otherwise be  
24 the case. Consumer disposable income is the  
25 lifeblood of the restaurant industry. And MRA is

1 gravely concerned about the potential loss of 900  
2 good paying jobs in Southeast Missouri. And  
3 resulting loss of potential restaurant customers. I  
4 also note that based on information provided by the  
5 National Restaurant Association, that every one  
6 dollar spent in Missouri's restaurants generates an  
7 additional dollar thirteen cents in the state's  
8 economy. So in the long run, MRA believes that  
9 Noranda's request for relief will provide a  
10 long-term fair and sustainable solution.

11 JUDGE WOODRUFF: Any questions?

12 COMMISSIONER STOLL: Thank you, for  
13 your testimony.

14 CHAIRMAN KENNEY: Thank you.

15 MR. BONNEY: Thank you.

16 JUDGE WOODRUFF: Paul Findlay. Good  
17 evening, sir.

18 (Whereupon the witness was duly sworn  
19 by the judge.)

20 MR. FINDLAY: My name is Paul Findlay,  
21 and I have been employed by Robinson Construction  
22 for nearly 15 years. As a businessman in Southeast  
23 Missouri a member of several local chambers as well  
24 as the state chamber of commerce, I understand the  
25 importance and value of having employers like

1 Noranda Aluminum in our area. As a result, I am  
2 here today in support of the rate relief requested  
3 by Noranda. While Robinson Construction is nearly  
4 100 miles from Noranda Smelter in the bootheel of  
5 Missouri, I appreciate the economic impact of  
6 Noranda on our region and our state. As Robinson  
7 Construction continues to grow, we recognize that  
8 one of our most important roles is to provide good  
9 paying jobs for good people.

10 As you are likely aware, Noranda  
11 provides some of the best jobs in the region with a  
12 workforce of several hundred people and an average  
13 salary approaching six figures. For this reason  
14 alone, Noranda's success is extremely important to  
15 the success of Southeast Missouri. What many people  
16 don't realize is the collateral impact of a company  
17 the size of Noranda. From suppliers to contractors,  
18 Noranda provides numerous opportunities for regional  
19 businesses which in turn, allows those businesses to  
20 hire employees. This is something I have firsthand  
21 knowledge of, as Robinson Construction has completed  
22 numerous projects for Noranda in recent years.  
23 Robinson's projects for Noranda over just the past  
24 few years have totaled nearly 10 million dollars,  
25 which equates to roughly 40 full-time employees for

1 a year between our labor and that of our  
2 subcontractors.

3 Noranda's request is a win-win for  
4 everyone. The request will insure the long term  
5 stability of Noranda, it would stabilize the utility  
6 market in Missouri for other energy consumers by  
7 helping to prevent future rate increases. And the  
8 proposal would not affect Ameren's bottom line. In  
9 addition, providing a rate relief will insure -- in  
10 the aluminum market as Noranda's competition in the  
11 market has already benefited from utility subsidies  
12 to reduce their energy costs. This relief would  
13 help you in the playing field as an important  
14 Missouri job creator. Without the relief, Noranda  
15 will likely have to look to other places for  
16 utilities or close the plant altogether. Either  
17 option would be detrimental for Missourians.

18 Additionally, without Noranda, rates  
19 are likely to dramatically increase for other Ameren  
20 customers; as Noranda is currently paying  
21 approximately 10 percent of the energy provided. If  
22 the plant were to relocate, the economic impact to  
23 not only the bootheel, but the rest of Missouri  
24 would be substantial. Without Noranda, our  
25 families, our communities, our region and our state

1 would suffer. Please consider my thoughts and grant  
2 Noranda their rate request. It is the right thing  
3 to do for Missouri jobs, businesses, economy, and  
4 energy consumers. Thank you for your time and for  
5 your service.

6 JUDGE WOODRUFF: Thank you, sir. Any  
7 questions.

8 CHAIRMAN KENNEY: Yes, I do.  
9 Mr. Findlay, thanks for being here. I appreciate  
10 you taking the time to offer your perspective. Are  
11 you testifying on your own behalf or on the behalf  
12 of the construction company?

13 MR. FINDLAY: The construction company.

14 CHAIRMAN KENNEY: Okay. And you  
15 mentioned that the company's completed 10 million  
16 dollars worth of projects and that equates to about  
17 40 full-time jobs. How many employees total does  
18 the company have?

19 MR. FINDLAY: Last week we had just  
20 over 450.

21 CHAIRMAN KENNEY: Again, thank you.  
22 Thank you for being here. I appreciate it.

23 MR. FINDLAY: Yes.

24 COMMISSIONER STOLL: Thank you for your  
25 testimony.

1 MR. FINDLAY: Thank you.

2 JUDGE WOODRUFF: Veronica Woolkeu. Am  
3 I close? I don't see anyone coming down by that  
4 name. If I mispronounced your name, I apologize.  
5 Jerry Vande -- Vanderwier. Good evening sir.

6 MR. VANDERWIER: Good evening.

7 (Whereupon the witness was duly sworn  
8 by the judge.)

9 MR. VANDERWIER: First of all, I would  
10 like to thank the Commission for probably a  
11 difficult and very important job. I'd like to  
12 express two views. The first one on Noranda's  
13 proposal for a rate reduction. I feel the job that  
14 Noranda does provides both Missouri and for its  
15 economy and jobs, are really important to the family  
16 and people that are here. And also for the nation  
17 for the product they provide. With that said, we  
18 have a much bigger economy and other issues. There  
19 are other people that are also suffering, and we  
20 shouldn't use utility rates as a form of corporate  
21 welfare. And in respect of how important Noranda  
22 is, but also in respect for all the other Ameren  
23 rate keepers, rate payers, I don't believe a shift  
24 in utility rates is the right way to do it. I think  
25 the right way to do it is to do it in legislature.

1 And if that's where corporate welfare needs to be  
2 done, it's decided there and not here at the utility  
3 rate. And it shouldn't be shifted to the rest of  
4 the rate payers. It should be based on the cost of  
5 services provided.

6 My second point is with regards to  
7 rates overall. I, obviously, would like to see  
8 lower rates. With that said, I would like to  
9 encourage you in your decision, to take a look at  
10 the volume of what Ameren is paying for or producing  
11 for us. If they are producing a better product,  
12 cleaner air, and if they are doing that at a cheaper  
13 rate than their competitors throughout the company,  
14 yeah, they're a monopoly; no, I don't have a choice  
15 to pay anyone else but their rates; but if they are  
16 providing the better products, I think it's  
17 reasonable we shouldn't expect them to lower their  
18 rates overall. Because it puts at risk our  
19 long-term safety, clean air and reliable energy for  
20 our future.

21 JUDGE WOODRUFF: Thank you, sir. Any  
22 questions?

23 CHAIRMAN KENNEY: No questions.

24 COMMISSIONER STOLL: Thank you.

25 CHAIRMAN KENNEY: Thank you.

1 JUDGE WOODRUFF: Thank you. Mike Susi.

2 Did I hear someone say, he went to the restroom?

3 We'll come back to him then. Kittye First-Beatty.

4 Good evening.

5 (Whereupon the witness was duly sworn  
6 by the judge.)

7 MS. FIRST-BEATTY: My name is Kittye  
8 First-Beatty. I am a widow. I am a senior citizen.  
9 And I am on a fixed income. I want to go on record  
10 as saying that I am opposed to Ameren UE getting any  
11 increase. This past winter, I have gotten utility  
12 bills for \$380 in one month, and \$400 in another  
13 month. I have a small house. And I do not turn my  
14 thermostat past 65 because, I personally -- I'm just  
15 the opposite of most senior citizens, I don't like  
16 heat and I don't get cold very easily. However, for  
17 a small house, and my house is all electric, I  
18 shouldn't have bills of \$380 and \$400. And I just  
19 have a two bedroom house. That's absolutely  
20 ridiculous. That should not be. And also, I would  
21 like to, an explanation of the energy efficiency  
22 investigation charge that's on the bill. What is  
23 that? Because no one has been at my house to do an  
24 energy efficient study.

25 JUDGE WOODRUFF: We can't answer your

1 questions at this time; but if you want to talk to  
2 the staff people outside at the entryway, they can  
3 give you some information about that.

4 MS. FIRST-BEATTY: Okay. Thank you.

5 JUDGE WOODRUFF: Thank you, ma'am.

6 Questions?

7 CHAIRMAN KENNEY: Thank you.

8 COMMISSIONER STOLL: Thank you.

9 JUDGE WOODRUFF: Thank you. Is Mike  
10 Susi back? We'll come back to him. Alunda  
11 King-Dudley. Good evening ma'am.

12 MS. KING-DUDLEY: Good evening.

13 (Whereupon the witness was duly sworn  
14 by the judge.)

15 MS. KING-DUDLEY: Yes, whatever you  
16 said. I didn't understand a word you said.

17 JUDGE WOODRUFF: I'm just asking if you  
18 swear or affirm to tell the truth.

19 MS. KING-DUDLEY: Oh, of course.

20 JUDGE WOODRUFF: Okay. I thought you  
21 would.

22 MS. KING-DUDLEY: Okay.

23 JUDGE WOODRUFF: What would you like to  
24 tell us?

25 MS. KING-DUDLEY: Well, I'm speaking

1 from my own personal view of what's happening with  
2 me. A quick question. I take a lot of medication.  
3 I'm considered a senior citizen. How much  
4 medication do you take? A day? I'll be more than  
5 happy to tell you that I take 23 medications in the  
6 morning and half of that in the evening. And with  
7 rates going up, that they are proposing to do, I  
8 can't afford to take some of my medications. As  
9 now, I have to take medication every other day just  
10 to afford my medication and my electric bill.  
11 Sometimes I have to choose, which am I going to pay?  
12 For my medication, which I desperately need? Or my  
13 electric bill? Just to keep halfway cool in the  
14 summer.

15 I'm not alone in this situation. There  
16 are many more people that have that same situation  
17 and even more so than I do. And when they choose to  
18 take their medication above their electricity bill,  
19 then they threaten to cut their electricity off.  
20 They don't want to know that you have a problem, or  
21 that you are a senior citizen, or that you are low  
22 income, or can't afford it. It's making it very  
23 difficult for us to exist. I'm saying, we cannot  
24 afford the rate increase. We're barely making it  
25 now. So what do you want to do, kill us? I don't

1 think so. But I implore you to think about other  
2 people who can't afford to even make the decisions  
3 that I'm forced to make these days. If not help me,  
4 help them. It's important. If you want us to have  
5 a legacy to live, leave to our children and our  
6 grandchildren, show compassion to us now. So we can  
7 at least have a legacy to give them. Thank you.

8 JUDGE WOODRUFF: Thank you, ma'am. Any  
9 questions?

10 COMMISSIONER STOLL: Thank you.

11 CHAIRMAN KENNEY: Thank you.

12 JUDGE WOODRUFF: Mike Susi. There he  
13 is. Good evening.

14 (Whereupon the witness was duly sworn  
15 by the judge.)

16 MR. SUSI: Thank you, gentlemen, for  
17 coming here and hearing our concerns this evening.  
18 I apologize, nature called there and just wasn't  
19 aware I should be called at that time. I'm the  
20 staff representative, the United Steelworkers  
21 International Union. Responsible for, one of my  
22 responsibilities is Noranda Aluminum. I negotiated  
23 labor agreements at Noranda Aluminum, so I'm very  
24 familiar with the wages and the benefit package that  
25 the folks that I represent, the over 800

1 steelworkers down there have earned; as well as the  
2 benefits that they receive and the pensions that the  
3 retirees who currently live down there, excuse me,  
4 enjoy. It's not uncommon for me to encounter people  
5 around the state that have family members that  
6 worked at Noranda. Just happened to me this past  
7 week a gentlemen's father worked there for almost 30  
8 years. My family is from Western Pennsylvania along  
9 the Ohio River, and my family has been directly  
10 impacted by the competition loss of manufacturing  
11 jobs, loss of steel jobs. And I've seen directly  
12 the impact that's had on local communities, small  
13 local communities, along the Ohio River.

14           There's no doubt in my mind whatsoever  
15 that in an area such as Southeastern Missouri, the  
16 bootheel area, that if you lost the jobs that  
17 Noranda currently provides there, that it would have  
18 a devastating impact. I've heard about the 160 plus  
19 million dollars a year that they are spending for  
20 the electricity. I can't believe for a minute that  
21 if Noranda Aluminum was no longer buying 160 million  
22 dollars worth of electricity, that they would be  
23 back here before the Commission, trying to offset  
24 those losses, asking for rate increases. The loss  
25 of jobs in that area, that's tax revenue. And I

1 know you've probably had the numbers thrown around,  
2 I think I've seen them on the site, the tax revenue  
3 going to the school districts. The tax revenue  
4 income tax to the state.

5           You know, this is a bigger picture than  
6 just the profits that Ameren would make or the loss  
7 of -- or the shifting of cost, you might say, to  
8 other folks. I think that in the long run, a  
9 reasonable rate for Noranda is actually a better  
10 deal than the loss of the jobs in the state of  
11 Missouri. I saw this year we tried to attract jobs  
12 to Boeing. And we threw -- we were throwing around  
13 a lot of money, a lot of numbers to attract jobs. I  
14 think that we need to make the same effort to keep  
15 the jobs that we currently have here. Because  
16 that's a lower cost to us in the long run to keep  
17 the jobs that we have, than to try to attract jobs  
18 that we don't have. I'd like to thank the  
19 Commission for listening to our concerns and hope  
20 that you can assist us in trying to reach a  
21 reasonable conclusion to this energy issue that  
22 Noranda is trying to face; as well as to work with  
23 us to try to set the future for Noranda; as well as  
24 the folks that I represent in Southeastern Missouri.  
25 Thank you.

1 JUDGE WOODRUFF: Questions?

2 CHAIRMAN KENNEY: Just one. Mr. Susi,  
3 thanks for being here. You indicated that you  
4 helped negotiate the labor agreement between the  
5 steelworkers and Noranda.

6 MR. SUSI: I was the chief negotiator.

7 CHAIRMAN KENNEY: Chief negotiator. So  
8 how would you rank the wages that the Noranda  
9 steelworkers make as compared to the average wages  
10 of other steelworkers in the state? Above? Below?

11 MR. SUSI: The other steelworkers -- I  
12 would say significantly above.

13 CHAIRMAN KENNEY: Would the same be  
14 true if you compared the wages of the Noranda  
15 steelworkers to other steelworkers regionally?

16 MR. SUSI: I would say significant -- I  
17 would say significantly, probably in the upper 20 or  
18 30 percent in our region.

19 CHAIRMAN KENNEY: All right. Thanks  
20 for your time, and thanks for being here.

21 MR. SUSI: You're welcome.

22 COMMISSIONER STOLL: Thank you for your  
23 testimony.

24 MR. SUSI: Thank you.

25 JUDGE WOODRUFF: Mike Grimes. Good

1 evening.

2 MR. GRIMES: Good evening.

3 (Whereupon the witness was duly sworn  
4 by the judge.)

5 MR. GRIMES: My name is Mike Grimes. I  
6 am President of Commercial Energy Consultants. We  
7 represent 25 different suppliers in the state of  
8 Illinois, and I'm just here to go on record to say  
9 you are approaching this issue all wrong. If you  
10 were to do what Ameren is doing over in the state of  
11 Illinois, their sister company, they are a  
12 deregulated state, they deliver the power, and the  
13 consumers get their choice between 25 suppliers that  
14 are 50 percent less in cost than what Missouri  
15 people pay for the same power. So all you have to  
16 do, and I submit this as an idea, is deregulate this  
17 state. Let Noranda go after these 25 suppliers, let  
18 them duke it out, get the lowest rate they can get.  
19 But if you were to do that, you'd also give every  
20 other consumer in this room the chance to get a  
21 lower power cost, not pay a higher power cost.

22 JUDGE WOODRUFF: Any questions?

23 COMMISSIONER STOLL: Thank you.

24 CHAIRMAN KENNEY: So, thanks, Mr.  
25 Grimes, for being here. Does Commercial Energy

1 Consultants, do you represent 25 suppliers in  
2 Illinois?

3 MR. GRIMES: Yes, sir.

4 CHAIRMAN KENNEY: So your proposal, is  
5 it -- are you of the impression that's something the  
6 PSC could do or is that looking at the general  
7 assembly --

8 MR. SUSI: No, we're working with  
9 legislators right now to bring out a bill that will  
10 deregulate electricity and natural gas in Missouri.  
11 We would like your support.

12 CHAIRMAN KENNEY: Thanks for being  
13 here.

14 MR. SUSI: Thank you.

15 COMMISSIONER STOLL: Thank you, sir.

16 JUDGE WOODRUFF: Thank you, sir. Keith  
17 Allen.

18 (Whereupon the witness was duly sworn  
19 by the judge.)

20 MR. ALLEN: Ladies and gentlemen, I  
21 want to underscore what Mike Grimes said. I'm also  
22 with Commercial Energy Consultants. I would like to  
23 talk about the bigger picture. This is very, very  
24 important. Everyone knows that open competition is  
25 a very good thing. In Illinois, and 22 other

1 states, they have a choice to buy their electric or  
2 their natural gas cheaper. We do not. That's  
3 because this is a monopoly in this state.  
4 Monopolies are illegal. With all due respect to  
5 Ameren, Missouri rates, the last five years have  
6 gone up with seven rate increases. Seven. That's  
7 almost a 50 percent increase. Now in Illinois, at  
8 the same time, their costs, because they have a  
9 choice, have gone down by 50 percent. Now, that's  
10 just right over the river. Think about that for a  
11 moment. Just over the river, their rates have gone  
12 down, ours have gone up. That needs to be  
13 addressed. Now, a free market would solve this.

14 Now, I want to say a couple other  
15 things real quick. Right here in March the Post  
16 Dispatch and many other TV outlets released a  
17 published study of 16 years. Illinois alone has  
18 saved 37 billion, that's not million, that's billion  
19 dollars statewide for businesses and for citizens  
20 alike. Think about that. Twenty-two other states  
21 and alone the industry, the 37 billion dollars saved  
22 in Illinois. Why can't we have that? Everyone's  
23 concerns can be addressed. Everyone in this room.  
24 One choice is no choice. I want that to sink in.  
25 One choice is no choice. I'm submitting that our

1 legislators give us the choice that we deserve,  
2 because we, as citizens and business owners alike,  
3 deserve relief. So I'm asking the Public Service  
4 Commission to talk with our state legislators, get a  
5 blue panel commission going and give us the choice  
6 that we need. It's way overdue. Thank you.

7 JUDGE WOODRUFF: Thank you.

8 CHAIRMAN KENNEY: Mr. Allen, thanks for  
9 being here. I just want to gather some additional  
10 information. The Post Dispatch article, when was  
11 that?

12 MR. ALLEN: That was March 3rd.

13 CHAIRMAN KENNEY: And the Illinois, do  
14 you know what their average residential rate is, per  
15 kilowatt hour?

16 MR. ALLEN: It's four to five cents.  
17 And ours is what between eight and eleven cents a  
18 kilowatt. And those -- now, wait a minute, the same  
19 company, but we have this river, I want people to  
20 think about that for a minute, those are some  
21 serious questions that need to be addressed.

22 CHAIRMAN KENNEY: And the 22 other  
23 states that you cited, do you know, on average, are  
24 they higher or lower than Missouri?

25 UNIDENTIFIED SPEAKER: Speak up.

1                   CHAIRMAN KENNEY: I was asking  
2 Mr. Allen if he knew the average residential rate of  
3 those 22 other states that are restructured.

4                   MR. ALLEN: There are different rates  
5 for different markets. But every single state,  
6 every single state, the rates have been lower than  
7 the incumbent utility. Now, what's important now,  
8 and I will say this one thing to bring some  
9 understanding here, is Ameren will never go away.  
10 We have a need for Ameren. But in Illinois, the way  
11 it works is the same electricity is delivered over  
12 the Ameren lines, but people just get the choice to  
13 buy it cheaper. Shouldn't we have that basic human  
14 right? I think so.

15                  JUDGE WOODRUFF: Let me ask you a  
16 clarifying question also. You are comparing the  
17 Ameren Illinois rate against the Ameren Missouri  
18 rate?

19                  MR. ALLEN: That's correct.

20                  JUDGE WOODRUFF: Is it also true that  
21 in Illinois you would also have to pay the supplier  
22 of the electricity as well as the wires that are  
23 provided by Ameren Illinois?

24                  MR. ALLEN: In Illinois, if I -- I  
25 spoke with the public service commission last summer

1 when they had a rate increase. I provided an  
2 example of how a bill would work. In Illinois, the  
3 bill is divided into two sections. One is the  
4 transmission of delivery charges on the top of the  
5 bill, and on the bottom part of the bill is the  
6 supply charges for electricity. Ameren is always  
7 going to deliver the power, they are always going to  
8 maintain the lines, do the repairs. The only  
9 difference is the cost in the electric. By open  
10 competition, fair market deciding, the prices go  
11 down.

12 CHAIRMAN KENNEY: Now, four to five  
13 cents, is not -- that's just the energy, that's not  
14 the full retail rate. That's not the all-in rate.

15 MR. ALLEN: In Missouri, they have the  
16 supply charges and the transition charges in one.  
17 We do not have transparency for the cost of our  
18 electricity in Missouri. So we need that clear,  
19 clearly separated on our bills in Missouri just like  
20 they do in Illinois. I think that's a very, very  
21 good starting point. And here's another thing I'll  
22 add, do we want to protect our jobs? Do we want to  
23 add jobs to America? Because if it's cheaper in  
24 another state to do business, where do you think the  
25 business is going to go? Think about that. So

1 let's protect our jobs here. Let's foster job  
2 creation. Let's lower the cost of living and  
3 business expenses and it's a solution that will fit  
4 everybody. Do you have any other questions?

5 CHAIRMAN KENNEY: No, I think you  
6 answered it.

7 JUDGE WOODRUFF: I'll ask a question.  
8 Now, you talked about the Ameren Illinois bill being  
9 about four cents --

10 A. Uh-huh.

11 JUDGE WOODRUFF: -- per kilowatt hour  
12 and the Ameren Missouri bill being eight or nine  
13 cents. I believe is what you said.

14 MR. ALLEN: Correct.

15 JUDGE WOODRUFF: Now, the customer in  
16 Illinois will pay that four cents for their Ameren  
17 Illinois bill, but they will also pay an energy  
18 charge on top of that, correct?

19 MR. ALLEN: Everyone pays delivery  
20 transition charges, everyone does.

21 JUDGE WOODRUFF: That would be the  
22 Ameren Illinois bill, the delivery charge.

23 MR. ALLEN: Correct.

24 JUDGE WOODRUFF: But do they also have  
25 to buy the energy?

1 MR. ALLEN: Nothing different than you  
2 already do right now.

3 JUDGE WOODRUFF: Right. My question  
4 is, if you put the energy charge on top of the  
5 transition delivery charge, what would that rate be?  
6 Do you know?

7 MR. ALLEN: I'll give you -- well, it's  
8 -- let's say that it's -- it's still going to be, if  
9 you added them up -- if I had a bill to show you  
10 right now, I could give you an itemized list of all  
11 those charges and add them all up comparison to  
12 comparison, apples to apples. It's always cheaper  
13 is the bottom line. In some cases it's been up to  
14 50 percent. That is a very large number. So we  
15 need transparency. We need choices. If 22 other  
16 states have done it, why haven't we? Those are  
17 really important questions the Public Service  
18 Commission needs to ask. So if you have anymore  
19 questions, I'll be around to answer anymore of your  
20 questions but I think it's time that the tax payers,  
21 businesses, everyone deserves a break. With that  
22 said, thank you for your time.

23 CHAIRMAN KENNEY: Thank you, sir.

24 JUDGE WOODRUFF: Bret Berthold.

25 (Whereupon the witness was duly sworn

1 by the judge.)

2 MR. BERTHOLD: My name is Bret  
3 Berthold. I'm here today as a representative of the  
4 Metropolitan St. Louis Sewer District. I am  
5 employed by the District. I am here today to voice  
6 the Metropolitan St. Louis Sewer District's  
7 opposition to the rate case filed and made by  
8 Noranda Aluminum. The rate case would adversely  
9 impact the district and its customers. MSD as  
10 established by the Missouri Constitution is a  
11 municipal corporation and political subdivision of  
12 the State of Missouri, serving over 1.3 million  
13 customers in St. Louis and St. Louis County.  
14 Currently the district is under a consent decree  
15 with the EPA that requires the district to spend an  
16 estimated 4.7 billion dollars in infrastructure  
17 improvements over 23 years.

18 This massive program has required the  
19 district to increase rates and intensely focus on  
20 efficiency and cost control. Outside of personnel  
21 expenses, electricity is the districts largest  
22 single operating expense. While the district  
23 understands Noranda's desire to reduce expenses,  
24 Noranda already has the lowest rates of any Ameren  
25 customer in Missouri. The claim filed, as many have

1 stated seeks to further reduce the rate by 25  
2 percent. This reduction will shift costs to other  
3 consumers including the district to subsidize its  
4 rate. If this rate shift is approved it will cost  
5 MSD approximately an additional 2.5 million dollars  
6 over the 10 year life of the proposed rate shift.  
7 The district is strongly opposed to this proposed  
8 rate case and I just want to thank you for your  
9 attention in this matter.

10 JUDGE WOODRUFF: Thank you, sir. Any  
11 questions?

12 CHAIRMAN KENNEY: Just one, Mr.  
13 Berthold. Thank you for being here. What's your  
14 role in MSD?

15 MR. BERTHOLD: I am an assistant  
16 director in our operations department.

17 CHAIRMAN KENNEY: And the 2.5 million  
18 dollars that would be shifted to MSD would then be  
19 reflected in customer's bills. Is that right?

20 MR. BERTHOLD: It could potentially be,  
21 yes.

22 CHAIRMAN KENNEY: I don't have any  
23 other questions. Thanks for being here.

24 COMMISSIONER STOLL: Thank you for your  
25 testimony.

1 JUDGE WOODRUFF: Manfred Zettl.

2 Manfred Zettl. Joe Fallert Jr. Joe Fallert. Oh,  
3 he's coming. Good evening, sir.

4 (Whereupon the witness was duly sworn  
5 by the judge.)

6 MR. FALLERT: Thank you for being here  
7 and I appreciate you taking the comments. I'll be  
8 brief. A lot of this has been talked about already,  
9 but one thing I'd like to reiterate is for  
10 everybody, while we're talking about Noranda here  
11 and the rate they get, all the industrial companies  
12 in this state get a reduced rate compared to me as a  
13 residential consumer. So I don't want to be misled  
14 that this is the only deal out there on the table  
15 where somebody is getting a special rate that's  
16 better than the average user's that we are. Is that  
17 right? If that's the way the system is, that's the  
18 way it is.

19 But this whole thing for me is about  
20 protecting jobs. As mentioned earlier by several  
21 people about the billions and billions of dollars  
22 that gets put on the table every year for industrial  
23 development, recruiting, trying to attract new jobs.  
24 We have 800 good paying steelworker jobs in some of  
25 the poorest area in the state of Missouri. And we

1 have an opportunity to protect that. So I would ask  
2 that everybody heavily consider consumers, should  
3 Noranda close, I've heard some of the numbers, but  
4 ask how much will consumer's rates need to rise to  
5 offset the loss of 150 million plus dollars that  
6 comes out of the system when Ameren, if they close,  
7 and that goes back on the lines for sale or whatever  
8 they do.

9 My guess is Ameren is going -- they're  
10 not going to absorb it, their guaranteed over a long  
11 term range, their guaranteed a profit long term.  
12 But what's going to be more important is who's going  
13 to absorb those eight or nine hundred jobs in  
14 Southeast Missouri? Who's going to deal with the  
15 lives and the jobs that are affected? Those  
16 families will be devastated. I just hope at the end  
17 of the day reasonable people make reasonable  
18 decisions and I appreciate the Commission taking the  
19 time to hear our comments.

20 JUDGE WOODRUFF: Thank you, sir.

21 MR. FALLERT: I apologize, I forgot to  
22 state my -- do I need to do that? My name and all  
23 that?

24 JUDGE WOODRUFF: Well, if you can spell  
25 it for the record.

1 MR. FALLERT: Well my name is Joe  
2 Fallert, F-A-L-L-E-R-T; but I'm with the  
3 steelworkers in Sainte Genevieve, Missouri. I've  
4 been there for 41 years with Mississippi Line,  
5 another heavy industrial user, but nothing to  
6 compare with these gentlemen. And I was a former  
7 state representative from 2007 to 2012.

8 JUDGE WOODRUFF: Thank you, sir. Any  
9 questions?

10 CHAIRMAN KENNEY: No questions.

11 COMMISSIONER STOLL: Thank you for your  
12 testimony.

13 JUDGE WOODRUFF: Jon Gillespie. Good  
14 evening, sir.

15 (Whereupon the witness was duly sworn  
16 by the judge.)

17 MR. GILLESPIE: I'd just like to thank  
18 you, the Commission, for hearing this, number one.  
19 It's a very important issue. To me, it's about  
20 jobs. Jobs equal family. So what we're talking  
21 about in these small percentages, they are great for  
22 the newspapers, but what we are really talking about  
23 is families that are going to be affected in the  
24 event Noranda closes. I run a family run company  
25 here in St. Louis. Noranda represents 10 percent of

1 our annual business, on a 10 year basis. So our --  
2 my small business equals about 50 families that this  
3 will affect if Noranda closes. And with my  
4 sub-tier, subcontractors, that support me in  
5 supporting Noranda very easily affects another two  
6 hundred families.

7 So what my point is, is Noranda's  
8 closing would have a domino effect, not only here in  
9 Missouri, but also they have facilities in  
10 Huntingdon, Tennessee, Arkansas, Louisiana, and  
11 North Carolina. So that domino effect will -- we're  
12 kind of pinpointing here in Missouri; but it will  
13 have a long-reaching effect. And those jobs won't  
14 come back at the same rate that they are paying now.  
15 Noranda is a very well paying company. So Noranda  
16 represents a financial hardship to me personally,  
17 Gillespie and Powers, in the event that you don't  
18 agree with the rate decrease.

19 (Whereupon, a discussion was held off  
20 the record; after which, the following proceedings  
21 were held on the record.)

22 JUDGE WOODRUFF: And the most important  
23 person in the room is the court reporter. She's  
24 taking down everything that we say and it is  
25 available on -- will be available as a transcript

1 for everyone to read through. My question was  
2 simply what kind of product do you make for Noranda?

3 MR. GILLESPIE: We're industrial  
4 construction and engineering. So we're heavy  
5 industry around the nation and the world.

6 JUDGE WOODRUFF: Thank you, sir. All  
7 right. Any other questions?

8 CHAIRMAN KENNEY: No, thank you for  
9 your testimony, sir.

10 COMMISSIONER STOLL: Thank you, Mr.  
11 Gillespie.

12 MR. GILLESPIE: Thank you.

13 JUDGE WOODRUFF: David Schenato. Good  
14 evening.

15 (Whereupon the witness was duly sworn  
16 by the judge.)

17 MR. SCHENATO: I'm the CFO of Gillespie  
18 and Powers, which was the president who was just up  
19 here.

20 JUDGE WOODRUFF: Speak up into the  
21 microphone, please.

22 MR. SCHENATO: I said I'm the CFO of  
23 Gillespie and Powers, which we design and build  
24 industrial type furnaces. We work a lot with  
25 Noranda and other various aluminum industry

1 customers. We feel that with the closing of  
2 Noranda, it would greatly impact our business. Like  
3 you said, it was 10 percent of the customer sales  
4 and plus they had some other subcontractors that we  
5 hire out of St. Louis too. So it's just not in the  
6 Southeast area, it's in the St. Louis area too. We  
7 feel that with this closing, if it would happen,  
8 that it would affect our business drastically and we  
9 would have to look for some other areas, maybe out  
10 of the state. Which we try to keep it in the state,  
11 which helps, I think Missouri with taxes and  
12 everything else. At this point, there's got to be  
13 some solution between Noranda and the rest of these  
14 customers. There's just got to be some solution to  
15 keep those jobs here in the state. I think that's  
16 all I have right now.

17 JUDGE WOODRUFF: Thank you, sir. Any  
18 questions?

19 CHAIRMAN KENNEY: No questions.

20 COMMISSIONER STOLL: Thank you, sir.

21 MR. SCHENATO: Thank you.

22 JUDGE WOODRUFF: Christy Stephenson.

23 If Christy Stephenson is here she can come on up.

24 (Whereupon the witness was duly sworn  
25 by the judge.)

1 MS. STEPHENSON: I'm a CPA who has  
2 previously worked in the manufacturing industry and  
3 now as a financial specialist for Ameren. I can  
4 sympathize with the situation that both companies  
5 are in. For companies of Noranda's nature,  
6 electrical costs represent a large percentage of  
7 their operating expenses and these costs are  
8 scrutinized in a manner like never before. Members  
9 of management feel a relentless pressure to run lead  
10 and maximize profit. This being the case, it is  
11 only natural that a company like Noranda would  
12 dissect its electricity expense and pursue any  
13 avenue which might aid them in reducing future  
14 spending. But as is the case with any conflict,  
15 there are always two sides to the story. And in  
16 this instance, one might argue that there are at  
17 least three perspectives involved, Noranda, Ameren,  
18 and that of the Missouri electrical consumers as a  
19 whole.

20 When deciding the best course of  
21 action, it is imperative that the situation be  
22 evaluated from all angles, not just the ones that  
23 pull at our heart strings. Noranda's perspective  
24 focuses on the possibilities of job loss and closing  
25 doors if their request is not granted. But we must

1 also equally evaluate the repercussions of granting  
2 Noranda's request. The primary impact being, a rate  
3 increase spread equally to everyday Ameren  
4 consumers. Noranda argues that the increase would  
5 be so small that most consumers wouldn't feel the  
6 hit. And that the benefits outweigh the costs. But  
7 we must ask ourselves, is this fair? Just because  
8 the effect is small for customers doesn't make it  
9 okay. And is it fair to place an additional burden  
10 on to customers who, once the decision is made, have  
11 no control over the impact? As a society, we pride  
12 ourselves in allowing citizens to express their  
13 opinions; and often times, we even allow people to  
14 vote for their -- in order to express their  
15 opinions. But in this case the Ameren consumer has  
16 no direct vote, which is why fairness must be at the  
17 crux of this decision.

18           Ultimately, it is not fair to force  
19 consumers to subsidize up to 500 million dollars in  
20 costs incurred by Noranda. Doing so would be an  
21 incredible injustice. And reducing Noranda's  
22 electrical rates is not the appropriate avenue for  
23 easing the company's financial burden. Certainly,  
24 there are more appropriate opportunities for Noranda  
25 to seek out which would accomplish a similar outcome

1 while not unfairly affecting third parties. In an  
2 effort to gain support, Noranda has brought up  
3 allegations that Ameren is earning rates of return  
4 that are higher than allowed. However, Ameren has  
5 continually substantiated its position and these  
6 allegations are without merit. Ameren's rates are  
7 reasonable, competitive, and fair determined by the  
8 PSC on a continual basis. These issues seem to be  
9 brought up for the sole purpose of digressing from  
10 the issue at hand, fairness. In conclusion, I hope  
11 that as the Commission deliberates and considers all  
12 the opinions expressed, that you will keep fairness  
13 at the heart of your decision, because nothing is  
14 more important than that.

15 JUDGE WOODRUFF: Thank you, ma'am.  
16 Questions? Ma'am, we have a question for you.

17 CHAIRMAN KENNEY: Ms. Stephenson,  
18 thanks for being here. I just want to clarify, you  
19 said you currently work for Ameren?

20 MS. STEPHENSON: I do.

21 CHAIRMAN KENNEY: What does a financial  
22 specialist do?

23 MS. STEPHENSON: I do a various number  
24 of functions, mostly general accounting related.

25 CHAIRMAN KENNEY: Are you testifying

1 individually or testifying on behalf of the company?

2 MS. STEPHENSON: Individually.

3 CHAIRMAN KENNEY: All right. That's  
4 all I have. Thank you.

5 COMMISSIONER STOLL: Thank you.

6 JUDGE WOODRUFF: Thank you. Kurt  
7 McClellan. Good evening.

8 (Whereupon the witness was duly sworn  
9 by the judge.)

10 JUDGE WOODRUFF: Thank you.

11 MR. McCLELLAN: I represent a local  
12 business here in St. Louis, Sigma-Aldrich. We use  
13 quite a bit of Ameren power ourselves. I would like  
14 to go on this record to say that the rate increase  
15 would be a significant increase to our business  
16 based here in St. Louis and really to all other  
17 local businesses. We've already had a number of  
18 back to back increases in the past years. These are  
19 financial resources that instead of investing in the  
20 community in our businesses, we have to give to  
21 Ameren for the increases. We have to find ways to  
22 offset these increases because we just simply can't  
23 pass these on to our consumers. We've already  
24 learned that this bailout won't do anything to  
25 increase our reliability or really for the community

1 here. Because of these issues, Sigma is fortunate  
2 that we have some resources that we could invest in  
3 backup power; but because of poor reliability  
4 issues, we've had to take working capital that we  
5 would have otherwise put into new venture  
6 businesses, facility upgrades, etc. and put this  
7 into backup power. We would like to go on record to  
8 say that we do not support the bailout or the rate  
9 increase for this venture. Thank you.

10 JUDGE WOODRUFF: Questions?

11 CHAIRMAN KENNEY: Just a few.

12 Mr. McClellan, thanks for being here. What's your  
13 role with Sigma-Aldrich?

14 MR. McCLELLAN: I'm the facility and  
15 maintenance manager, sir.

16 CHAIRMAN KENNEY: And just for the  
17 record, what does Sigma-Aldrich produce?

18 MR. McCLELLAN: We produce a large  
19 range of chemical, pharmaceutical, and other goods.

20 CHAIRMAN KENNEY: Is it heavy power  
21 use?

22 MR. McCLELLAN: Yes, sir. We are very  
23 heavy.

24 CHAIRMAN KENNEY: And what type of  
25 backup power have you invested in?

1 MR. McCLELLAN: We've had to invest  
2 billions of dollars into standby generation systems  
3 for five of the seven facilities that we have here  
4 in St. Louis.

5 CHAIRMAN KENNEY: And why was the  
6 decision made to make those investments.

7 MR. McCLELLAN: The value of our  
8 products that are stored here, and the workers'  
9 time, the disruptions that we were having in our  
10 power and still have today in our power supply, were  
11 too much for our business. So instead of choosing  
12 to roll the dice if you will, and on the advice of  
13 Ameren, who said that, basically, if you want  
14 reliable power, buy backup generators. We decided  
15 to do that.

16 CHAIRMAN KENNEY: And what kind of  
17 generators?

18 MR. McCLELLAN: These are generators  
19 purchased fully. Caterpillar generators, seven  
20 hundred, five hundred kilowatt generators.

21 CHAIRMAN KENNEY: What type of fuel do  
22 they use?

23 MR. McCLELLAN: They use number two  
24 diesel, sir.

25 CHAIRMAN KENNEY: Thanks for taking the

1 time to be here, and thanks for indulging my  
2 questions.

3 COMMISSIONER STOLL: Thank you, sir.

4 MR. McCLELLAN: Thank you very much.

5 JUDGE WOODRUFF: Eric Mooshegian. Good  
6 evening, sir.

7 MR. MOOSHEGIAN: Good evening.

8 (Whereupon the witness was duly sworn  
9 by the judge.)

10 JUDGE WOODRUFF: Was I close on your  
11 name?

12 MR. MOOSHEGIAN: Very good.

13 JUDGE WOODRUFF: You might want to  
14 spell it for the court reporter.

15 MR. MOOSHEGIAN: It's Eric Mooshegian,  
16 M-O-O-S-H-E-G-I-A-N. I am a senior business  
17 representative with the International Union of  
18 Operating Engineers Local 148. And I'm here tonight  
19 in opposition to Noranda's request. Local 148  
20 represents approximately 900 employees who work at  
21 Ameren's power plants. While I am sympathetic to my  
22 hardworking brothers and sisters of the  
23 steelworkers, a decision in favor for Noranda will  
24 have a significant impact on these employees. Not  
25 only as employees, but as consumers as well. There

1 is currently a mechanism in place to allow the  
2 consumers a fair rate for their electricity as well  
3 as fair return for Ameren for their investments. I  
4 urge you not to support Noranda's request at this  
5 time.

6 JUDGE WOODRUFF: Any questions?

7 CHAIRMAN KENNEY: No. Thank you for  
8 being here.

9 COMMISSIONER STOLL: Thank you.

10 JUDGE WOODRUFF: Joan Bray. Good  
11 evening. Good evening.

12 (Whereupon the witness was duly sworn  
13 by the judge.)

14 JUDGE WOODRUFF: Thank you.

15 MS. BRAY: Thank you. My name is Joan  
16 Bray. Do I need to give you anymore information?

17 JUDGE WOODRUFF: No. That's fine,  
18 unless you want to.

19 MS. BRAY: I don't know if you needed  
20 an address or something.

21 JUDGE WOODRUFF: No.

22 MS. BRAY: I am the Executive Director  
23 of Consumers Council in Missouri, and I actually  
24 didn't expect to speak tonight until late when we  
25 found out that about four of our people couldn't

1 come because of the weather. So I am, I'm filling  
2 in for some very good people with good stories and  
3 I'm just -- I will say from my perspective of  
4 consumer's counsel, I want to speak just basically  
5 to the over earnings case. This is the only  
6 opportunity that consumers have to attempt to get a  
7 reduction in rates. When we believe it is  
8 absolutely proven through the numbers that Ameren is  
9 over earning. And you have the power, the  
10 Commission has the power, to order a rate reduction.  
11 And we believe that this case needs to be taken very  
12 seriously. And, of course, we know that when a,  
13 when a utility files a rate case, you have to deal  
14 with it all in one month, and get it done. And the  
15 law doesn't require that on a complaint or a rate  
16 reduction case, so I hope that you will respect the  
17 consumers just like utilities get respected and  
18 decide this in a very timely way for the sake of  
19 consumers.

20                   You know, in the past six years, Ameren  
21 Missouri customers have suffered under 43 percent  
22 rate increases. That's very, very hard on people,  
23 extremely hard on people, making choices about where  
24 they spend their hard earned money in this time of,  
25 difficult time of unemployment, underemployment,

1 it's very, very hard on families. And with this  
2 over earnings case situation, every day that the  
3 case isn't decided, \$183,000.00 is over earned. And  
4 that's hard on consumers to be paying that. We  
5 believe there's enough evidence that to actually  
6 prove that, that there is an over earning situation.  
7 And we would, we really do hope that you will decide  
8 this case quickly. And there's so much money here  
9 at stake for consumers in their individual budgets  
10 and overall for what consumers are overpaying. And  
11 we are very, very concerned that consumers get a  
12 fair shake under this regulatory system. When you  
13 look at the over earnings case, long term and the  
14 rates, there's just so much money involved in  
15 consumer's rates over the long term. And looking at  
16 the 43 percent increases over the past six years and  
17 what we fear for the future, this is a very serious  
18 matter to many, many people who are having a  
19 difficult time with their bills. Thank you.

20 JUDGE WOODRUFF: Thank you.

21 CHAIRMAN KENNEY: Thank you for your  
22 testimony.

23 COMMISSIONER STOLL: Thank you.

24 JUDGE WOODRUFF: Richard Craighead.

25 (Whereupon, a break was taken; after

1 which the following proceedings were held on the  
2 record.)

3 JUDGE WOODRUFF: Let's come back to  
4 order, please. Mr. Craighead, if you want to come  
5 down again. Is Mr. Craighead back in the room yet?  
6 Is Janice Evans here? How about Fran Bonham? Is  
7 Mr. Craighead back in the room yet? Janice Evans?  
8 How about Fran Bonham? Ronald Stamps, Stamps, or  
9 Stanford?

10 MR. STAMPS: Stamps.

11 JUDGE WOODRUFF: Good evening, Mr.  
12 Stamps.

13 MR. STAMPS: Good evening. How are you  
14 doing?

15 JUDGE WOODRUFF: Doing great, please  
16 raise your right hand.

17 (Whereupon, the witness was duly sworn  
18 by the judge.)

19 JUDGE WOODRUFF: Thank you. You may be  
20 seated. What would you like to tell us?

21 MR. STAMPS: I'd like to speak out in  
22 support of the people who are unable the pay their  
23 large electric bills. Why is it that the consumers  
24 always have to bear the burdens of the big companies  
25 that are able to pay bills, but pay less as far as

1 their consumption of electric as opposed to the ones  
2 who are least likely to consume always being billed  
3 in lieu of corporate greed.

4 JUDGE WOODRUFF: Thank you, sir.

5 COMMISSIONER STOLL: Thank you,  
6 Mr. Stamps.

7 CHAIRMAN KENNEY: Thank you for your  
8 testimony.

9 JUDGE WOODRUFF: Lillie Webster. Diane  
10 Meely. Good evening.

11 MS. MEELY: Good evening.

12 (Whereupon, the witness was duly sworn  
13 by the judge.)

14 JUDGE WOODRUFF: Thank you. What would  
15 you like to tell us?

16 MS. MEELY: Well, I would like to say,  
17 I try to conserve as much energy as I can because I  
18 know I can't afford a large bill. And I don't care  
19 what I do to conserve, I can buy these light bulbs  
20 that's supposed to save you energy, I do everything  
21 I can, and yet still I get those big bills. It's  
22 like Ameren charges me what they want to. I've had  
23 to go to the Urban Relief and get assistance on my  
24 bill. And I think Ameren sees all that money's  
25 there. They are hoarding that money. That's more

1 money for us. Because no matter what I do -- I  
2 don't use my dishwasher. I live in a senior citizen  
3 building. It's a small apartment. In the winter,  
4 I'm more likely to open the window, but I am too  
5 scared to turn the thermostat up because I can't do  
6 without heat. I would rather for it to be too cool  
7 than be too hot, but it doesn't seem to matter. My  
8 bill is still up. One month, I got a bill for \$111.  
9 I have a dishwasher that I do not use. There are  
10 other residents in my building that uses their  
11 dishwasher all the time. I have one friend that  
12 lives in a building, she may leave for the weekend  
13 and never turn her TV off, she leaves it on no  
14 matter if she's at home or not. I turn mine off  
15 when I'm not there. But I still have a large bill.  
16 I can't understand it.

17                   You see people that sit up and won't  
18 turn their air on, they sit up and die from being  
19 overheated because they don't want to get that big  
20 bill. We can't afford it. My grandmother used to  
21 turn the fan on and let it run for 20 minutes and  
22 say, that's enough, turn it off. It's running up my  
23 electric bill. We had to spend the summer with her.  
24 She lived in East St. Louis. We'd go over there  
25 every summer. She was not going to let her fan run

1 for over 20 minutes. And we had to suffer through  
2 the heat because she did not want to see that  
3 electric bill. And I think to me, Ameren is just  
4 greedy. The more they get, the more they want. We  
5 just can't afford it. When you find people dead  
6 because they couldn't turn the air on because they  
7 can't afford to pay the bill. They've got an air  
8 conditioner, but they won't turn it on because they  
9 can't afford to. I had a bill one time for \$111. I  
10 don't know how it got to be a hundred and eleven  
11 dollars. And I'm still trying to catch up with the  
12 bills.

13                   They sent me a bill for my husband. My  
14 husband's been dead for five years now. We had a  
15 house, I had to give the house up because I couldn't  
16 afford to pay the insane bills. I can't afford it.  
17 I'm on a very fixed income. Everybody wants more  
18 money. Bi-State wants more money. When you go to  
19 the grocery store, all the food, everything in the  
20 store has gone up. I can't afford it. So I'm so  
21 glad it's nice out tonight, I can go home and leave  
22 my windows open. I'm more likely to turn, open the  
23 windows in the winter than I am to turn the  
24 thermostat up. I can't sleep in that heat, but I  
25 don't see the difference in my bill.

1 JUDGE WOODRUFF: Thank you, ma'am.

2 MS. MEELY: I hope you think about  
3 those people that sit up and die because they can't  
4 afford to turn their air on. They have air  
5 conditioners. They can't afford to turn them on.

6 CHAIRMAN KENNEY: Thank you for your  
7 testimony.

8 JUDGE WOODRUFF: Is Mr. Craighead back  
9 in the room? Is Mr. Craighead here? Welcome back.

10 MR. CRAIGHEAD: Thanks.

11 (Whereupon, the witness was duly sworn  
12 by the judge.)

13 JUDGE WOODRUFF: You may be seated.  
14 Tell us what you want to tell us.

15 MR. CRAIGHEAD: Well, first of all,  
16 good evening to the commissioners. And I would also  
17 like to urge the commissioners to support some kind  
18 of rate adjustment for Noranda so we don't get into  
19 the same situation we're in in Ohio, where they did  
20 nothing to help anybody, and that smelt is now  
21 closed. It's called Ormet out there. They went to  
22 the Public Utility Commission out there, and the  
23 Governor Kasich and nobody did anything to help and  
24 that smelt is now closed. So instead of running the  
25 save our jobs campaign, we're out there running the

1 food banks for these people. And we'll have the  
2 same thing, about the same amount of members, about  
3 a thousand or better members out there too. And  
4 we'll have the same thing down in Southeast Missouri  
5 if they don't get us some kind of a rate adjustment  
6 to stay competitive. Three other states have  
7 arrived at some kind of conclusion on these rates to  
8 keep them busy, and keep them alive, keep them  
9 going. And these plants won't move to other states,  
10 they'll move out of the country. If they do move.  
11 We need to do everything we can to try to keep our  
12 jobs here and keep a thousand members working and  
13 their families going also down there in these areas.

14 Southeast Missouri is one of the  
15 poorest senate districts in the country. Not the  
16 poorest, but it's one of them. It's in the top ten,  
17 I believe. And we need to do everything we can to  
18 start helping these people, instead of letting them  
19 go. Just letting the jobs fall where they are.  
20 Because we're losing jobs every day. At some point  
21 in time, there's not going to be any jobs, at least  
22 good paying jobs, where we can make a living and  
23 raise a family and support our family. And I really  
24 don't buy into the notion that if the place closed,  
25 whether they would reduce rates or not, I don't know

1 that that would happen. I don't think it's  
2 happening in any other place so far. I think  
3 they've risen, I think the rates have risen over the  
4 years. And with that, I just urge the Commission to  
5 do everything they can to bring us to an equitable  
6 solution.

7 JUDGE WOODRUFF: Thank you, sir.

8 CHAIRMAN KENNEY: Mr. Craighead, thanks  
9 for being here, just a couple quick questions.  
10 What's your role with the steelworkers?

11 MR. CRAIGHEAD: I'm the legislative  
12 coordinator in United Steelworkers District 11.

13 CHAIRMAN KENNEY: And the plant in Ohio  
14 that you mentioned?

15 MR. CRAIGHEAD: Ormet.

16 CHAIRMAN KENNEY: Okay. That's I all I  
17 wanted to know. Thank you very much.

18 COMMISSIONER STOLL: Thank you for your  
19 testimony.

20 JUDGE WOODRUFF: Thank you. Janice  
21 Evans. Fran Bonham. Ruthie Hart.

22 (Whereupon, the witness was duly sworn  
23 by the judge.)

24 MS. HART: Yes. Thank you. I  
25 basically walked up to thank you for the opportunity

1 to hear from these presenters and I'll take it back  
2 to my neighborhood. I am a senior citizen 83 plus.  
3 And, of course, we have a very difficult time. Our  
4 neighborhood is almost blighted and it's the main,  
5 one of the main thoroughfares, Peyton Boulevard, the  
6 Funeral and Church Street. So, I want to thank you  
7 for letting me hear from all of these people and  
8 I'll take it back to my neighborhood. By the way,  
9 timing is important, believe it or not I got a  
10 disconnect letter today. Thank you.

11 JUDGE WOODRUFF: Thank you, ma'am.

12 COMMISSIONER STOLL: Thank you for your  
13 testimony.

14 JUDGE WOODRUFF: Pamela Boyd.

15 (Whereupon, the witness was duly sworn  
16 by the judge.)

17 MS. BOYD: Hi. My name is Pamela Boyd  
18 and I'm a committee woman for the 27th board  
19 organization. And I am speaking for the  
20 constituents of my board, and I have been listening  
21 to a lot of testimonies, and I understand that these  
22 workers feel that the closing of the Noranda would  
23 have an impact on jobs throughout Missouri and other  
24 states, but I guess I'm looking at it from a  
25 two-fold. Yeah, those people will probably lose

1 jobs, and then they'll be in the situations that my  
2 constituents are in now. They don't have the money  
3 to pay for the electric bills that they are  
4 currently getting. And then they're talking about  
5 going on 43 percent, so I'm looking at people that  
6 bills are out of their control now, that they can't  
7 afford to pay; and then if it goes up, they're going  
8 to have to make choices. I have seniors. Their  
9 medication costs about \$800 a month. And so they  
10 have to look at, do I pay my medication, buy my  
11 medicine, or do I pay my electric bill?

12                   And then I'm looking at the company  
13 that's saying they want another price cut on their  
14 electric bill. So does that mean other big  
15 corporations are going to come to you all to try to  
16 get price cuts also? Because now you have Noranda,  
17 so you're going to have other big companies that's  
18 going to say, I want a price cut too. And so the  
19 consumer is going to have to pay for that price cut.  
20 Because to me, it's a snowball effect. And the  
21 person that's getting hit with the biggest ball, are  
22 the poor people. Because I'm looking at what the  
23 CEO's making. He doesn't have a problem paying his  
24 electric bill. I know he pays his bill with no  
25 problem.

1                   But when you have seniors, like we had  
2                   a lady said she took 23 pills a day, in the daytime  
3                   and 21 in the evening. So now she has to make a  
4                   decision, do I take all my medicine or do I pay my  
5                   bill? And so that's my case in regards to this  
6                   Noranda thing. I'm totally against it. My  
7                   constituents cannot afford it. We're already  
8                   scuffling to try to get energy assistance for those  
9                   seniors alone. And then when you have single  
10                  parents just trying to pay their electric bills and  
11                  you talk about going up again, so now you have a  
12                  double whammy. So I'm totally against it; and I  
13                  think that the company needs to figure out another  
14                  way to make it happen, so it doesn't trickle down on  
15                  to the people that can't afford to pay their bills  
16                  in the first place.

17                   JUDGE WOODRUFF: Thank you, ma'am.

18                   MS. BOYD: Any questions?

19                   CHAIRMAN KENNEY: I don't have any  
20                  questions, but thank you for being here and speaking  
21                  on behalf of your constituents.

22                   MS. BOYD: Thank you.

23                   JUDGE WOODRUFF: Dale Poage. Good  
24                  evening.

25                   (Whereupon, the witness was duly sworn

1 by the judge.)

2 JUDGE WOODRUFF: Thank you. You may be  
3 seated. Tell us what you would like to tell us.

4 MR. POAGE: My name is Dale Poage. I'm  
5 an independent business owner. I represent about  
6 1500 families in this state of Missouri. My  
7 concern, I have a lot of compassion for the people  
8 of Noranda about losing their jobs. I hate to see  
9 anybody lose their job. Also, the people that are  
10 up here talking about having to pay more for their  
11 electricity bill. I'm in the energy market since  
12 the last three years. In January, excuse me,  
13 November of 2012, Ameren Illinois was deregulated.  
14 Twenty-five percent of their bill goes to the  
15 transmission charge. Its 4.95 for the meter charge,  
16 14.95 for the actual service line coming in. So  
17 it's based on kilowatt usage. They can buy  
18 wholesale over there. They are buying it -- at one  
19 time they were buying it at less than four cents a  
20 kilowatt. And I'm paying, in Missouri, I pay with  
21 Ameren about 11 cents.

22 And I believe that if we could work  
23 together and find out a solution I could go ahead  
24 and start the process of, excuse me, deregulating  
25 the state of Missouri. Not only could we, probably

1 for the next three to five years, I would say around  
2 20, 25 thousand new jobs. And if something were to  
3 happen to these nice folks from Noranda, they could  
4 also have a place to go in the energy market. And  
5 my concern also is with the -- you guys, it's hardly  
6 a win-win situation for you gentlemen up front right  
7 here, and I do recognize you. As we have no  
8 precedence for addressing the district with a relief  
9 package, my question is, what if that opens the door  
10 for other companies to come back to you and say,  
11 hey, you know, we want to do the same too. And I  
12 believe in my heart by deregulating the state of  
13 Missouri, that you might not have to put up with  
14 this no more. It might help us all out in the long  
15 run. And with that, I thank you for your time, sir.

16 JUDGE WOODRUFF: Any questions?

17 COMMISSIONER STOLL: No. Thank you for  
18 your testimony.

19 CHAIRMAN KENNEY: Thank you, Mr. Poage.

20 JUDGE WOODRUFF: We'll come back up to  
21 Russell Oliver. Is Mr. Oliver still here? Good  
22 evening again. I'll swear you in.

23 (Whereupon, the witness was duly sworn  
24 by the judge.)

25 MR. OLIVER: My name is Russell Oliver.

1 I am the Stoddard County Prosecuting Attorney.  
2 Commissioner Stoll and Judge Woodruff heard from me  
3 last night. And I presented a letter last night and  
4 I'd also like to present it tonight again.

5 COMMISSIONER STOLL: It's already in  
6 the record.

7 JUDGE WOODRUFF: It's already in the  
8 record, so you don't need to present it again.

9 MR. OLIVER: Well, the letter is signed  
10 by 56 county elected officials all supporting  
11 Noranda's rate reduction request, and I encourage  
12 Commissioner Kenney to review that letter. It is a  
13 unified voice of all the elected officials in all  
14 the counties in the bootheel. This wasn't a task to  
15 get these people to sign on this letter. This is a  
16 no-brainer for Southeast Missouri. The economic  
17 ramifications of the closure of Noranda cannot be  
18 understated. And I would like to -- I've heard a  
19 lot of people tonight, talk about the word,  
20 "fairness." I'd like to address that word,  
21 "fairness." And, again, some of the propoganda that  
22 has been put out by Ameren.

23 The propoganda out front is a lot  
24 different than what we saw last night in  
25 Caruthersville. They have a burning hundred dollar

1 bill talking about, Noranda Aluminum has taken ten  
2 million dollars of Missouri taxpayer's dollars.  
3 They talk about Noranda being a hundred miles away  
4 from ninety percent of all the other Ameren  
5 customers that will bear the brunt of this rate  
6 shift. I would like to talk about that, about  
7 fairness. If you want to talk about fairness, this  
8 is the exact reason why rural Missouri feels like  
9 the stepchild of the state. The rest of the state  
10 gladly bore the expense of Express Scripts to be  
11 subsidized to come into St. Louis. We helped keep  
12 the Ford plant open. We kept Bombardier open  
13 through tax credits. And we in Southeast Missouri  
14 approved three billion dollars of tax credits to  
15 lure more Boeing jobs to St. Louis, Missouri. The  
16 rest of the state, we're happy to bear this burden  
17 and I was disappointed that that three billion  
18 dollars didn't go to Boeing and those jobs weren't  
19 created. Southeast Missouri does not begrudge St.  
20 Louis getting more jobs.

21                   This is the only thing we have. And  
22 we're asking for that to be preserved. And Mr. Wood  
23 and Ameren wants to make it look like we're mooching  
24 on the rest of the state. That's not what we're  
25 asking. We're asking to preserve what we have.

1 We're asking that we keep the jobs that we have in  
2 place. We help St. Louis. We're asking that just a  
3 small fraction of that amount of money help preserve  
4 what we have right now. Ameren wants us to look  
5 like we're trying to shift our cost on to St. Louis,  
6 but Noranda is a good corporate citizen. Noranda --  
7 you heard -- Commissioner Stoll and Judge Woodruff,  
8 you heard last night the Kenney Rogers Foundation  
9 talk about all the donations that the employees of  
10 Noranda and Noranda is donating to them that help  
11 children with autism at no cost to those families.  
12 AmerenUE -- Ameren Missouri has a -- currently has a  
13 case pending in the State Tax Commission, trying to  
14 reduce its rates on their gas distribution systems  
15 and their local property tax assessments. They are  
16 trying to reduce their tax burden that goes to our  
17 schools. Noranda aluminum pays 28 percent of the  
18 tax revenue based on the New Madrid County School  
19 System. I've never heard of Noranda challenging  
20 their tax assessments, but AmerenUE is trying to  
21 reduce their tax burdens by 60 percent in 16  
22 counties across the state. The equivalent of the  
23 yearly salary of 253 teachers that they are trying  
24 to take out of the school systems.

25 Noranda is a good corporate system.

1 They are good for our community. They provide jobs  
2 that we don't have anywhere else. And I keep  
3 hearing people talking about snowballs that these  
4 other companies are going to come in and everyone's  
5 going to be asking for changes, you know, to be  
6 treated the same way. But I didn't hear the name of  
7 one company that's situation in the manner that  
8 Noranda Aluminum is situated where they could even  
9 come in and request something of this nature. In  
10 fact, the testimony that I've heard is that Noranda  
11 Aluminum is unique, and they're the only consumer  
12 that's situated in this manner with this type of  
13 load. And this does not have to set a precedence  
14 for everyone to be able to come in and make these  
15 same requests. Because Noranda is not like everyone  
16 else. Thank you.

17 CHAIRMAN KENNEY: Mr. Oliver, thank you  
18 for making the trip here tonight.

19 MR. OLIVER: I'll get you a copy of the  
20 letter.

21 CHAIRMAN KENNEY: Okay.

22 COMMISSIONER STOLL: I got an extra  
23 copy last night.

24 CHAIRMAN KENNEY: Sorry, I wasn't able  
25 to be with you last night. Thank you for being here

1 again today.

2 MR. OLIVER: Thank you.

3 CHAIRMAN KENNEY: Thank you.

4 JUDGE WOODRUFF: Neil Priggel. Good  
5 evening.

6 (Whereupon, the witness was duly sworn  
7 by the judge.)

8 JUDGE WOODRUFF: Thank you.

9 MR. PRIGGEL: I would like to thank you  
10 for setting up this public forum to allow comments  
11 from both sides on the two cases currently before  
12 you. In order to understand the importance of the  
13 New Madrid smelter in the bootheel region and  
14 myself, I think it's important to understand some of  
15 our history. I'll start with me. My name is Neil  
16 Priggel. I have been employed by Noranda Aluminium  
17 for the last 19 years. I'm a life-long resident of  
18 Portageville, Missouri. I went to the University of  
19 Missouri, received an engineering degree, was  
20 fortunate enough to come back and get a job, an  
21 engineering job, at Noranda Aluminum. When we go  
22 back, I'd like to talk about the plant history.  
23 During this presentation here, I've got, really five  
24 points that I would like to make.

25 The first point being vision. I would

1 like to tell you about the vision of one man that  
2 was able to transform a whole region. In the 1960s,  
3 the bootheel area was mostly farming. Technology  
4 was progressing and slowly removing the need for  
5 farm labor. A local small-town banker, by the name  
6 of Sam Hunter realized that some type of  
7 manufacturing was needed to advance the bootheel  
8 economy. We needed good manufacturing jobs. He  
9 took a year off from the bank to work on this  
10 project. Many residents of the bootheel thought his  
11 endeavor was a lost cause. In 1967, Mr. Hunter was  
12 almost certain that our region lost the plant to  
13 Kentucky. I've talked to his son and he said that  
14 Mr. Sam got on his knees and prayed like never  
15 before. Mr. Sam did not give up and he worked with  
16 the coal company and the fire company and was to win  
17 Noranda back to New Madrid.

18 In December of 1967, Noranda announced  
19 that they were coming. In recognition of his  
20 answered prayers, the New Madrid Industrial Park was  
21 named St. Jude Industrial Park. You may question  
22 why the name St. Jude was picked. Mr. Sam had said  
23 that if there ever was a desperate case or a lost  
24 cause, this project is it. St. Jude was one of the  
25 12 apostles, and is known as the patron saint of the

1 desperate cases and the lost cause. Mr. Hunter's  
2 successful vision was such an event that a Super  
3 Bowl commercial was made depicting the community's  
4 accomplishments. That is what we're talking about  
5 with Noranda Aluminum. It's the only thing we have.  
6 That and farming, and farming cannot support very  
7 many people.

8                   So tonight, we have another opportunity  
9 to establish a vision. Tonight, we have the  
10 opportunity to ensure that we continue the operation  
11 of the New Madrid smelter. The two great cases that  
12 have been presented to the Public Service Commission  
13 gives a fair and detailed road map as how to save  
14 the 900 good paying jobs in Southeast Missouri. The  
15 request before the Commission asks Ameren to stop  
16 over earning their targeted profits and the other  
17 request, that Noranda receive a fair power contract  
18 that moves them from paying the second highest power  
19 rate of the nine aluminum smelters that are left, to  
20 basically around the fourth or fifth highest rate.  
21 We're not asking for the best rate of everybody.  
22 We're asking to be middle ground. It is much easier  
23 to save a company than it is to start a new company.  
24 We know through the, through the papers we've seen  
25 where we try to bring in industry and it just fails.

1 We have a viable company here. We need to support  
2 the manufacturing that we have left.

3 Which brings me to my second point,  
4 poverty. The bootheel area currently has three of  
5 the top ten counties with the lowest median  
6 household income in the state. We are experiencing  
7 this type of poverty even with Noranda's  
8 contributions. Noranda's contributions to the local  
9 economy is enormous. Yearly payroll, benefits  
10 exceeds ninety million dollars. Value added to all  
11 Missouri businesses exceeds 336 million each year.  
12 We heard from some of them tonight that are actually  
13 stationed here in St. Louis. It employs 900 people  
14 from 68 local communities. People drive over 60  
15 miles one way to attend work. Retirement payments  
16 exceed 7.8 million dollars and Noranda's impact  
17 supports 3900 Missouri jobs with annual wages and  
18 salaries of 158 million.

19 We've talked about taxes. Noranda is a  
20 good tax paying citizen. We pay 17.9 percent of the  
21 total taxes in New Madrid County. So that tells you  
22 that it's all that New Madrid County has. We paid  
23 28.7 percent of the taxes paid for the schools. We  
24 have supported the United Way, The Community Shelter  
25 Workshop, Kenney Rogers and various other

1 organizations in 2013 by the tune of \$344,000.00.  
2 Noranda has continued to invest in the plant with  
3 approximately over three hundred million dollars in  
4 the past decade. If we should ever lose the plant,  
5 I think it would be safe to say that the bootheel  
6 will have the top three lowest median household  
7 incomes in the state.

8 Brings me to my third point, never  
9 close. Noranda is such a vital part of the  
10 Southeast Missouri area, many local and state  
11 citizens think it's impossible for the plant to  
12 close. Growing up in the Portageville area, right  
13 next to the plant, six miles away, I thought the  
14 same thing. My eyes were opened when I started  
15 working there. I traveled to other smelters, some  
16 twice as big as ours, and looked at buying equipment  
17 from them. As we would approach these smelters that  
18 had been closed, you'd pull up to the gated fence,  
19 and you'd see the buildings that were a quarter mile  
20 long taken down, and nothing left but a concrete  
21 hole and you ask, how does that happen. We are  
22 going to hear from a man here shortly named Fred  
23 Felton who just had it happen to him.

24 In the last 32 years, 23 of the 32  
25 aluminum smelters have closed in nine States. Many

1 of these smelters employees have come to Noranda  
2 seeking employment. As I have talked to these  
3 employees they tell me that they also thought that  
4 their plant would never close. Then one day they  
5 show up to work and you get a pink slip. They are  
6 champions of communicating to our employees that we  
7 cannot let this happen to us and the Southeast  
8 Missouri economy.

9 Brings me to my fourth point, survival.  
10 What is Noranda doing to not become number 24 out of  
11 32? Noranda has realized that we must improve our  
12 operation if we are going to prevent the New Madrid  
13 facility from becoming the 24th closed smelter.  
14 Unfortunately, Noranda is in the commodity business  
15 and we cannot pass our cost on to the customer like  
16 a monopoly. In order to survive, Noranda has  
17 relentlessly continued to pursue lowering our cost  
18 structure basically in three areas.

19 Increased production. We've invested  
20 over three hundred million dollars in capital since  
21 2003 in order to increase production. We have  
22 increased our production by over a hundred and five  
23 million pounds per year, or 22 percent.

24 Labor. The toughest thing I've ever  
25 been involved with in my life, in my nineteen years

1 at Noranda, we have reduced the number of employees  
2 from 1150 to 900. I have been involved where I've  
3 had to take colleagues, friends, and family away  
4 from the plant. Tough.

5 Raw materials. We've learned to use  
6 different grades of raw materials that cost less.  
7 One would think that the advancements would ensure  
8 that we remain competitive and ensure that Noranda  
9 is here for my kids to work; but unfortunately, it  
10 has not. Electricity accounts for one-third of our  
11 smelter's operating cost. Electricity costs have  
12 basically resulted in the closure of the 23 other  
13 smelters referenced earlier. Since we have joined  
14 Ameren, our power costs have went up 40 million  
15 dollars per year. Ohio did not support the format.  
16 Their smelter has closed and the jobs that were  
17 associated with it are gone. They will never come  
18 back. Of the nine smelters left in the United  
19 States, Noranda is currently paying the second  
20 highest rate.

21 So that brings me to my father. When  
22 you realize that your smelter is paying the second  
23 highest rate of the nine that are left, you start to  
24 think about your family's well being. I've  
25 discussed the situation with my father who has been

1 a resident of Portageville for 78 years. He has  
2 seen the plant built, and he knows how it was before  
3 Noranda arrived. In our discussion, we contemplated  
4 on how Southeast Missouri would survive. How would  
5 we survive 900 jobs, ninety million dollars? The  
6 devastation would be incredible. We also discussed  
7 how the local farm economy could not support the  
8 workforce, tractors, combines, everything is larger,  
9 you can barely pass them on the road. They don't  
10 need that many people. They don't need 120th of  
11 those people. He stated to me that it would create  
12 a welfare state in the area. This comment caught me  
13 by surprise, and I sat back and I tried to envision  
14 what he was talking about.

15                   The best way to explain it for  
16 individuals in St. Louis that do not live in  
17 Southeast Missouri, hopefully, at one time you have  
18 traveled to the south on I-55 from the St. Louis  
19 area. As you pass Cape Girardeau, you will come to  
20 a hill. It's a landmark of sorts, and you will be  
21 able to look over the flatlands of the bootheel.  
22 This is where the closure of the plant would be the  
23 most devastating. As you come down this hill, you  
24 will be able to see over 80 miles to the state line,  
25 flat. You'll come down, and you'll be able to see

1 the towns on the interstate and you'll be able to  
2 see the poverty on the side of the interstate.  
3 You'll go through Sikeston, East Prairie, New  
4 Madrid, Portageville, Malden, Hayti, Caruthersville,  
5 Kennett and all the way to the state line and still,  
6 everybody will be poor.

7           As we finished our conversation, my  
8 father made a profound statement that has kept me  
9 awake at many nights. I am the father of five kids.  
10 He stated, he said, son, make sure that my grandkids  
11 get a good college degree. If that plant closes,  
12 Southeast Missouri will not be a good place to raise  
13 a family. It brings me great concern that a man  
14 whose family has been deeply rooted in Southeast  
15 Missouri for over a hundred years is concerned that  
16 it may not be an acceptable place to raise a family  
17 in the future, if the plant should close.

18           Which brings me to my last target, my  
19 last point, number five, is hope. I would like to  
20 close with a request that you consider the impact of  
21 Southeast Missouri when making your decision. The  
22 Noranda smelter is not a lost cause and can continue  
23 to be a viable manufacturing facility in providing  
24 good jobs to the area. The only thing we need, the  
25 only thing the New Madrid facility is lacking is a

1 competitive power rate. So if you would, I would  
2 like for you to envision your next trip to Southeast  
3 Missouri, to the southern part of the state. As you  
4 sit in your car and you pass Perryville and then you  
5 pass Cape Girardeau. Once you past Cape, you are  
6 going to come to that distinct landmark and you are  
7 going to see the large hills where the Mississippi  
8 Delta starts and continues to the state line. And  
9 as you go down this hill and enter the delta I hope,  
10 no, I pray, that you will be filled with joy and  
11 happiness realizing that you played a vital role in  
12 saving this area from poverty and economic  
13 destruction.

14 So, I'll close with this. As I lay  
15 down to sleep tonight, I will say a prayer for  
16 St. Jude, the patron Saint of our industrial park to  
17 intercede with the Lord and give you guidance in  
18 making a wise decision, and give the citizens of  
19 Southeast Missouri hope.

20 JUDGE WOODRUFF: Thank you, Mr.  
21 Priggel. Questions?

22 CHAIRMAN KENNEY: No questions, Mr.  
23 Priggel. Thank you for being here.

24 JUDGE WOODRUFF: Greg Lester. I will  
25 add while Mr. Lester is coming down, all of you who

1 testified last night, your testimony is already on  
2 the record. You are not under any obligation to  
3 repeat it here. I want to give you a chance to  
4 speak here tonight, but we don't need necessarily to  
5 hear the same things over again. It's all going to  
6 be in the record. All right.

7 (Whereupon, the witness was duly sworn  
8 by the judge.)

9 MR. LESTER: First of all, let me thank  
10 you for allowing me to speak here tonight. The  
11 reason I'm here, is I do work at Noranda. But I'm  
12 really here because I fully understand how this  
13 process works, and have seen it on the down side.  
14 Hopefully, I can give us all a perspective, a  
15 different perspective of what it's like on the human  
16 side of this thing. I hired into Kaiser Aluminum  
17 Mead Smelter in Spokane, Washington in 1979. Just a  
18 few years ago. It was one of the best jobs in the  
19 city, and I felt very lucky to have it. It was a  
20 career job. Now, since I've been at Noranda, it is  
21 also considered a career job for the people of  
22 Southeast Missouri.

23 I started as a laborer. I had the  
24 opportunity that I had by working hard and I was  
25 able to work myself up to the superintendant level,

1 which I currently hold at Noranda. The plant I came  
2 from was in business for over 60 years. In 1999, we  
3 had a similar power issue. We could not resolve it.  
4 We had two smelters, eventually. We had one in  
5 Tacoma, Washington and one in Spokane. We closed  
6 them both. This did affect 1500 good paying career  
7 jobs. What hurt the most, I believe, and I don't  
8 want to do it here, is I had to walk out on the  
9 floor and tell the employees that we were going to  
10 do an orderly shut down. We drained every cell. We  
11 put in crucibles. We put in valves. And we sent it  
12 off. At the end of that process, of course, the  
13 power is shut off permanently. You can't know how  
14 it felt to scrap it.

15 Two weeks ago, I started a vacation. I  
16 went to Spokane, Washington. My former plant, eight  
17 potlines, 16 rooms, it ran for 60 years, is leveled.  
18 There's not one building left there. There's  
19 remnants. The power's out. I met with a lot of  
20 people there, former employees, keeping in mind I  
21 grew up with these people. I knew their wives,  
22 their children, their sisters, brothers, husbands,  
23 and parents. To go on that shop floor, was the  
24 toughest thing I ever did. I'd prefer not to do it  
25 here. It did hit the papers right away in Spokane,

1 the rush was on, it was a mad scramble. Houses went  
2 on the market immediately. We all know what happens  
3 next, you have a supply and demand issue. People  
4 were upside down on their mortgages. What happens  
5 next? Mass foreclosure. I think we still see that  
6 today. Sometimes under similar circumstances we're  
7 talking about here. We can prevent that.

8 Many of the people went looking for  
9 work, myself included. I ended up in West Africa  
10 working with Kaiser still. I was the fortunate one,  
11 but yet felt a little bit of guilt for what I left  
12 behind. Worked 13 months there. Left my family at  
13 home. Lived in West Africa and traveled back and  
14 forth. Came home one time on leave, and I said,  
15 look, the bubble is going to burst. That plant was  
16 dependant upon rainwater. It was gone. We knew it  
17 wouldn't survive. It would be up and down over the  
18 years. Got home, a headhunter had called the house,  
19 suggested I submit a resume to Noranda, down here in  
20 Southeast Missouri. Very nice facility, quite  
21 large, has potential. I said, let's do it, I'm  
22 down.

23 We now have done everything possible in  
24 my 35 years that I know of to cut costs. We have  
25 cut to the quick. One place we don't have control

1 is power. Where we do control it, we've done very  
2 well. We are knocking on a world class performance  
3 door right now. That says a lot. It says a lot  
4 about the integrity of the people who work in the  
5 plant, the knowledge base, and the determination to  
6 make it right. In my time working at Noranda, we  
7 all remember the ice storm, and I kept hearing some  
8 things about Apollo. You know, it's funny that  
9 Apollo is a hedge fund sure, they sure are; but the  
10 day we had that ice storm, I spent with my  
11 colleagues, close to 24 hours out in that plant  
12 trying to save it. My former employer in the  
13 downturn market that it was, would have immediately  
14 shut those two lines down permanently, until the  
15 price reached ninety cents. Not Apollo. They kept  
16 every employee employed at that plant. That's  
17 unheard of. Alcoa would have. No other smelter or  
18 anybody I know would have done that. They did. It  
19 surprised me. The people in that plant dug in, dug  
20 those lines out, and we restarted those lines at a  
21 huge amount of money, and I do not remember one time  
22 that we begged for any break from our electric  
23 supplier. We didn't want a hand out. We dug in and  
24 got it done.

25 Now, I'm going to give credit where

1 credit is due. Ameren: Very reliable power. I've  
2 seen it in many different states, many different  
3 companies, smelters, they're very reliable. I'm  
4 going to give credit for that and I appreciate that,  
5 I want them to know that. But we have to be  
6 competitive. The Middle East is going gangbusters  
7 right now. They have put 22 billion dollars, that  
8 is B for billion, into smelters right now. They  
9 would love to have the talent that's in the room and  
10 they've called many times trying to get some talent  
11 out there. That's our competitor. We have to be  
12 competitive. I've seen all these smelters close. I  
13 myself, as well as Neil, have bought those materials  
14 at my former smelter. It's not a good feeling.

15 My wife and I moved down here and left  
16 two children, two daughters, four grandchildren, so  
17 that we would have the ability to work. I would.  
18 Noranda supplied me with a very nice life. I've  
19 been able to put both of my daughters through  
20 college. I owe them. Working at Noranda has  
21 allowed me to go home and visit my kids. They  
22 understand what happens. They understand today's  
23 economy. They have both been working. Apparently,  
24 that's what happens. What surprises me is once  
25 again, I'm sitting here faced with the same issue I

1 have been before, about power pricing. And the  
2 possibility of closure. This is pitiful. This is  
3 the United States. This is pitiful. There are nine  
4 smelters left in our country right now. Everybody  
5 else has moved on. The biggest aluminum company in  
6 the world has invested ten billion of its own money  
7 into Saudi Arabia. It's that big. We've got some  
8 of the best workforce right here to do that. I  
9 would hate to see us be down to eight.

10           These are still career jobs. Every  
11 young man that walks into Noranda today believes  
12 it's a career. It would be a shame to lose that  
13 opportunity. Now, I do not envy any one of you for  
14 the very hard task you have in front of you. In  
15 fact, I applaud you for your courage, for the  
16 aftermath of your final decisions made on this case.  
17 But I do believe in being fair in all cases where  
18 humans are involved. Not corporations, humans. So  
19 here's my plea to all of you. It's that all of you  
20 find a way to team up where we all survive and still  
21 thrive in our industries. Because there is no doubt  
22 in my mind that we both need each other to continue  
23 to do business here. Thank you for your time.

24           JUDGE WOODRUFF: Thank you, sir.

25           MR. LESTER: Any questions?

1                   CHAIRMAN KENNEY: Just a couple. Thank  
2 you for being here. Thanks for coming to the  
3 hearing and testifying. The company that's invested  
4 the ten billion dollars in Saudi Arabia, why Saudi  
5 Arabia?

6                   MR. LESTER: Flare gas. Which you can  
7 build gas fired turbines for power. And cash. The  
8 liquidity in the Middle East is very high. They're  
9 cash flushed.

10                  CHAIRMAN KENNEY: So my next question  
11 then is that, even at the rate that Ameren is  
12 requesting, will Noranda be competitive with Saudi  
13 Arabia and other countries in the Middle East?

14                  MR. LESTER: We would be competitive in  
15 that -- and this is the key, currently, we are  
16 second highest. If we can be lower down in the  
17 group where we can actually compete domestically, we  
18 can survive and still thrive together. That's why I  
19 am talking about a team effort here.

20                  CHAIRMAN KENNEY: Thanks again for  
21 being here. Thanks for sharing.

22                  COMMISSIONER STOLL: Thanks for being  
23 here. Thank you.

24                  MR. LESTER: Thank you.

25                  JUDGE WOODRUFF: Fred Felton. Good

1 evening.

2 (Whereupon, the witness was duly sworn  
3 by the judge.)

4 JUDGE WOODRUFF: Thank you.

5 MR. FELTON: My name is Fred W. Felton.  
6 I'm the metal products supervisor at Noranda. In  
7 1956, in Hannibal, Ohio my mother was going through  
8 high school. She sat on a 77 acre lot and watched  
9 them start to build Ormet Aluminum. She watched  
10 them build it for the whole year until they moved  
11 her to a new high school, River High School, in  
12 Hannibal, Ohio, where she graduated in 1957. Ormet  
13 started operating in 1958, whenever the potlines  
14 first fired up. Some of this I spoke of to you last  
15 night, sir. Six hundred thirty-five miles ago, and  
16 a year and a half ago, I left Ormet Aluminum, after  
17 serving 16 years there. I didn't have to leave at  
18 that time, but we had already shut down two lines;  
19 and I know where the electric energy was at at that  
20 time. I never ever thought I'd have to leave the  
21 Ohio Valley again. My hometown, where I grew up at,  
22 where I graduated from high school at, I never ever  
23 thought I would have to leave again.

24 After 24 years of serving in the United  
25 States Army, I retired as a Master Sergeant. I went

1 back to the Ohio Valley, thinking this is where I  
2 want to stay for the remainder of my life. I'm a  
3 father of three beautiful daughters, two  
4 grandchildren, and I'm a husband to my beautiful  
5 wife, Cynthia, sitting in the audience tonight. In  
6 October of 2012, I was asked if I was interested in  
7 coming to Noranda. I was afraid, I was scared to  
8 death to ask my wife about moving her from the  
9 Pittsburgh area down to Sikeston, Missouri. You  
10 see, I had traveled all over the world, it didn't  
11 bother me. I didn't think twice about it. But to  
12 ask a lady to move 635 miles from her family, her  
13 whole entire family, is what I'd done. And now  
14 we're here. Of course, she agreed to come, as you  
15 can see.

16                   This position I took at Noranda was a  
17 position that I was forced to take, because of the  
18 very thing that we're here talking about,  
19 electricity, and the power that you guys, your panel  
20 here has, in helping Noranda possibly be able to  
21 continue operations down in New Madrid. I would  
22 like to read this letter to you, that was released  
23 on October 4, 2013 from the CEO and the President of  
24 the Ormet Aluminum Corporation. "For immediate  
25 release, October 4, 2013. Hannibal, Ohio, October

1 2nd, the Public Utilities Commission of Ohio denied  
2 the majority of Ormet's request for an energy  
3 transition plan that would allow it to operate while  
4 constructing an onsite natural-gas-based,  
5 power-generated facility. Due to this decision,  
6 Ormet cannot emerge from bankruptcy, and must  
7 immediately shut down. Ormet estimates that the  
8 additional six hundred people will be affected under  
9 the existing warrant notice." I shut potlines down;  
10 and as Neil talked about earlier, about shutting  
11 down potlines, whenever you suck all the metal,  
12 extract, excuse me, when you extract all the metal  
13 out of them potlines and you finally call the  
14 rectifier, and you tell them, pull the plug.  
15 There's a sign on line five at Ormet that I wrote on  
16 the wall. And it says the date that we shut that  
17 line down. The date and the time that we, I pulled  
18 the plug. I was the one that made the call to the  
19 rectifier.

20                   So you see, it is real, it's very real.  
21 It can happen to -- it happened in Ohio. It  
22 happened in Hannibal, Ohio. It can happen down in  
23 New Madrid, down at Noranda. So I plead to you this  
24 evening, that you don't allow this to happen. I ask  
25 in the name of 900 members, of the Noranda team,

1 that somehow, someway that in between Noranda and  
2 the Public Utilities Commission, and Ameren, that  
3 you can come together and reach a happy medium,  
4 wherever it may be, that would allow that 900  
5 employees to continue to work down there. Because  
6 you see, I moved 635 miles with my wife, but I can  
7 very easily pick up and move back to the Ohio  
8 Valley, and be back with her family and my family  
9 that I left behind. But as I supervise down there,  
10 there's a lot of hardworking people down there.  
11 They wouldn't -- I don't think they know anything  
12 else besides what they do at Noranda. Great,  
13 hardworking people. This is -- that's their life.  
14 And I'm praying that they wouldn't be able to go out  
15 because a lot of them are in their upper 40s,  
16 mid-40s, upper 40s, 50s. How many people is going  
17 to hire you at that age? Fifty-five years Ormet  
18 operated, and now it's gone. Like they talked  
19 about, the gentlemen talked about before me, with  
20 the -- out in Spokane, that's what's going to happen  
21 at Ormet.

22 Paint a picture of a parking lot with  
23 six hundred employees' cars in it, on a daily basis,  
24 maybe only 500. Now paint that same picture, and  
25 not have one car in it, have a bunch of green grass

1 coming up through the cracks. Gentlemen, I hope you  
2 take it sincerely. I beg of you to work however we  
3 can with one another because that's what it takes.  
4 And I would like to ask one more thing. Anytime  
5 that we hold a meeting like this, the presence of  
6 the American flag needs to be here, and it is not;  
7 and I'd appreciate if it would be at any other  
8 meeting. Thank you for your time, gentlemen.

9 JUDGE WOODRUFF: Thank you.

10 CHAIRMAN KENNEY: Mr. Felton, thank you  
11 for taking the time to be here and sharing your  
12 story.

13 COMMISSIONER STOLL: Thank you.

14 MR. FELTON: Thank you.

15 JUDGE WOODRUFF: Michelle Fayette.

16 (Whereupon, the witness was duly sworn  
17 by the judge.)

18 MS. FAYETTE: My name is Michelle  
19 Fayette. I'm the Executive Director for the Kenney  
20 Rogers Children's Center in Sikeston, Missouri and  
21 I'm here to talk a little bit about the  
22 philanthropic aspects of Noranda Aluminum. Not only  
23 Noranda Aluminum, but the workers as well. What we  
24 are is, we are an outpatient pediatric therapy  
25 center. We provide physical, occupational, and

1 speech therapy. We currently provide that for about  
2 500 kids on a monthly basis in Southeast Missouri.  
3 And for 40 years, we have provided all that service  
4 at no charge.

5 Our main fundraiser that we have, is  
6 every year in March, we have a telethon. Our  
7 biggest contributor is Noranda Aluminum. This year,  
8 when we went off the air, we went off the air at  
9 four, actually about \$402,000.00. Noranda  
10 Aluminum's donation, between payroll deductions from  
11 the workers there, Noranda Aluminum itself, and then  
12 the steel workers also have their own donation every  
13 year. They made a \$40,000.00 donation, which is 10  
14 percent.

15 Some numbers I would like to share with  
16 you tonight, over and above what I did last night,  
17 is that, you know, I did share that not only if  
18 Noranda Aluminum went away, if the workforce went  
19 away, if they didn't have their, you know, their  
20 paycheck there, just to give you an idea of the  
21 counties in Southeast Missouri, the Kenney Rogers  
22 Children's Center is located in Scott County. We  
23 are right at the very corner of where Scott, New  
24 Madrid, and Mississippi counties all connect. To  
25 give you an idea of currently, we are at about

1 \$417,000.00 for our annual telethon. The numbers  
2 that we have come out of these three counties,  
3 \$208,000.00 came from Scott County. Thirty-nine,  
4 almost forty, thousand dollars came from Mississippi  
5 County, and from New Madrid County, almost  
6 \$120,000.00. Like I said, you look back at that and  
7 you take 40,000 out of that, you are down to  
8 \$8,000.00. New Madrid County is a very, very, very  
9 small county. We've already talked about the  
10 impoverishment. If -- just to give you an idea, so  
11 out of that, out of that, just those three counties,  
12 \$367,000.00 is what has been raised. We've talked  
13 about, obviously, already the impoverishment levels  
14 in that community. And then \$21,000.00 of that  
15 comes from complete out of state, so \$28,000.00 from  
16 the other surrounding counties besides those three,  
17 that's all that was raised in those other counties.  
18 So you can see the support we've received.

19 The Priggel family, you met Mr. Priggel  
20 tonight and I don't think he's immediately related,  
21 maybe distantly related, but we have a family in  
22 Portageville that raises \$15,000.00 every year.  
23 They do chili suppers, they do bingo, they do all  
24 kinds of different fundraisers. We have the Stacky  
25 family that raised about \$13,000.00 this year. The

1 Lesh family, 3000. A group we call the Southern  
2 Boys, which is a group of families in Portageville,  
3 that raised over \$10,000.00. That right there is  
4 over \$40,000.00 just from Portageville itself.  
5 Sikeston, where I'm from, is a much larger community  
6 and it's only populated by about 16,000, I'm sure  
7 somebody can tell me real quickly, what's the  
8 population of Portageville.

9 UNIDENTIFIED SPEAKER: Thirty-seven  
10 hundred.

11 MS. FAYETTE: Thirty-seven hundred, and  
12 they raised over \$40,000.00. Camala (ph sp) Baptist  
13 Church, a very, very, very small church, raises over  
14 \$4000.00 each year. And then the McClardy family,  
15 which is in New Madrid County, in Lilburn, will  
16 always raise about \$15,000.00. That is a very  
17 significant impact, just out of New Madrid County.  
18 Like I said, we've been around for 40 years. We  
19 provide the services that we do to kids throughout  
20 Southeast Missouri. And during that time, we have  
21 never charged any of the families, for any of the  
22 services that we provide. We are very proud of  
23 that. In '11, we were able to add a million dollar  
24 expansion. We went from 10,000 square feet, from  
25 17,000 square feet. We went from 13 full-time

1 physical, occupational, and speech therapists to 20  
2 full-time therapists. Without Noranda in Southeast  
3 Missouri, we'd significantly -- it could instantly  
4 change the look of the future for the Kenney Rogers  
5 Children's Center. And just statewide, regionally;  
6 and we beg you to consider the importance of Noranda  
7 remaining in Southeast Missouri.

8 JUDGE WOODRUFF: Thank you very much.  
9 Darin Halter. And I didn't call you Darius this  
10 time.

11 MR. HALTER: I appreciate that.

12 (Whereupon, the witness was duly sworn  
13 by the judge.)

14 JUDGE WOODRUFF: Thank you.

15 MR. HALTER: Once again, thank you for  
16 the opportunity to address the Commission. My name  
17 is Darin Halter. I am the director of operations at  
18 the New Madrid plant for Noranda. I've been at the  
19 New Madrid plant for about 20 years. I was born and  
20 raised in Southeast Missouri, went to college at the  
21 University of Missouri at Rolla, and was fortunate  
22 enough to return to my home area in the state to get  
23 an engineering job with Noranda, and have worked  
24 various positions with the company. Once again, in  
25 the interest of time, I'm not going to repeat all

1 the numbers and things like that, but I did want to  
2 just point out a few, a few things. The plant has  
3 been at Noranda, or at New Madrid for 45 years. We  
4 are in a commodity-based business which we must  
5 compete with smelters around the world. We can't  
6 just pass on the higher costs, that we continue to  
7 get thrust upon us, to our customers. Our prices  
8 are set by the London Metal Exchange. We, you know,  
9 we have to be competitive with smelters around the  
10 world, to stay in business. We have done everything  
11 we can investing capital, to modernizing the plant  
12 or plants, to stay competitive.

13 We have other opportunities to improve  
14 the cost structure of our plant, to try to spread  
15 our costs over more pounds and be more efficient,  
16 but we can't afford all of those costs. Just like  
17 Ameren has stated earlier, we face additional  
18 pressures from EPA and DNR to, you know, meet the  
19 laws and clean air acts and things like that -- that  
20 to be good corporate citizens of the area, and we do  
21 that. You know, like I said, we've had to make some  
22 pretty tough decisions. We've done all we can to  
23 try and spread those fixed costs out. But, you  
24 know, we've even had to take some very desperate  
25 measures to reduce our workforce and reduce our

1 costs.

2                   Power is our biggest cost. I'm sure  
3 you know that we pay in excess of 160 million  
4 dollars every year for our power costs. Unlike a  
5 regulated monopoly, we have to control our costs to  
6 remain in business. We are not guaranteed any rate  
7 of return. We've heard Ameren -- you know, we've  
8 heard testimony that they're guaranteed about a 10  
9 percent rate of return. We are not guaranteed  
10 anything. We have to control our costs and then we  
11 have a tremendous risk that we will not make any  
12 money. We have to control our costs to be  
13 profitable. And I dispute the fact that this is a  
14 bailout or a handout. All we want is a competitive  
15 power price that we compete on a global scale,  
16 worldwide for our products. Like I said, we already  
17 -- we are currently at the second highest on power  
18 price. We just want to be somewhere in the middle  
19 so that we can compete.

20                   In closing, you've heard from all types  
21 of people tonight, and will probably here from a few  
22 more. We've had union represented workforce. Some  
23 of -- some of them multigenerational. They've been  
24 at that plant for -- we had -- we had a gentleman  
25 retire last week, actually here tonight, worked at

1 that plant for 44 years. We had -- you've heard  
2 from local management. We've -- you know, we've  
3 heard from people that have come from across the  
4 country from like places that their plants have  
5 closed. We've got people like myself, that were  
6 born and raised in the area. This is -- this is  
7 personal. This is a lot, 900 people work in that  
8 plant. You've heard from local venders and service  
9 industry personnel that would be drastically  
10 impacted if that plant were to close. Unlike some  
11 areas of the country, there are not many  
12 opportunities in the bootheel. You know, farming is  
13 just about it. Nobody likes the thought of higher  
14 power rates. I think we would all be unanimous in  
15 that thought. Nobody wants to have higher power  
16 rates. Noranda's position in this matter is that  
17 everybody benefits from Noranda being on the Ameren  
18 system. They benefit, we benefit, the consumers of  
19 Missouri benefit. That's what we request. Thank  
20 you.

21 JUDGE WOODRUFF: Thank you, sir.

22 CHAIRMAN KENNEY: Thank you,  
23 Mr. Halter.

24 JUDGE WOODRUFF: Stan Ivie. Is  
25 Mr. Ivie still here?

1 JUDGE WOODRUFF: Good evening.

2 (Whereupon, the witness was duly sworn  
3 by the judge.)

4 MR. IVIE: Thank you for the  
5 opportunity to speak tonight. My name is Stan Ivie.  
6 I am the president of Local 7686, and I represent  
7 the United Steelworkers there. And, you know, I  
8 don't mean to repeat a lot of stuff I guess you've  
9 heard in Caruthersville. But Southeast Missouri is  
10 a very poor area. Noranda provides excellent jobs.  
11 I've been here 31 years. I've seen a lot of guys  
12 come down there from Chrysler, come down there,  
13 start a career down there, laid off from up here.  
14 General Motors. They come down and I've put in  
15 years of service with those guys.

16 This -- you hear a lot of this stuff  
17 about, you know, what is in it for us -- what's in  
18 it for us up here in Noranda, I mean, St. Louis.  
19 Okay. We're cardinal red just like they are up  
20 here. You come to Southeast Missouri, you'll see as  
21 many Cardinal shirts down there, as you will up  
22 here. When Boeing -- when Governor Nixon tried very  
23 hard to lobby for Boeing, over millions and millions  
24 of dollars, we were right there beside him, we were  
25 like, we were fighting hard for those jobs, we

1 wanted them just as bad as St. Louis did. You  
2 didn't hear us down there hollering, what's it going  
3 to do for us. We were 100 percent behind those  
4 Missouri jobs. And these jobs will be devastating  
5 to Southeast Missouri if we lose those jobs.

6 Just two months ago, I come up to St.  
7 Louis, and I bought a car. Up here in St. Louis.  
8 Southeast Missouri comes up here, buys cars, shops,  
9 goes to the St. Louis ball games, buys their kid's  
10 school clothing. We spend tax dollars up here to.  
11 And we would appreciate it, if you would help us  
12 with this decision here tonight.

13 JUDGE WOODRUFF: Thank you, sir.

14 CHAIRMAN KENNEY: Thank you.

15 COMMISSIONER STOLL: Thank you.

16 JUDGE WOODRUFF: Dallas Snider?

17 UNIDENTIFIED SPEAKER: We had several  
18 individuals that are still on the list that you  
19 still haven't heard, that testified last night. So  
20 you may not -- the rest may not need to testify. So  
21 we are okay, if you would like for us to testify, we  
22 will. In other words, Mr. Snider and several other  
23 guys, I think.

24 JUDGE WOODRUFF: We have left Dallas  
25 Snider, Gary Harper and Cameron Redd. It's up to

1 you and if you want to come down and testify, we'll  
2 listen to you, but as I indicated before, it's  
3 already in the record.

4 COMMISSIONER STOLL: You mean that,  
5 they all testified last night also?

6 UNIDENTIFIED SPEAKER: Yes, sir.

7 JUDGE WOODRUFF: All right, then that  
8 completes the list of names I have here. Is there  
9 anyone else who would like to testify that didn't  
10 get their name on the list? Yes, sir, come on up.

11 MR. JOHNSON: Here or there?

12 JUDGE WOODRUFF: Over here.

13 (Whereupon, the witness was duly sworn  
14 by the judge.)

15 JUDGE WOODRUFF: Would you tell us your  
16 name, please?

17 MR. JOHNSON: My name is Samuel  
18 Johnson. I sat there all this time and I said to  
19 myself, why did my neighbor drag me out here? I  
20 said this is an argument between some bulls and some  
21 cash cows. I'm a consumer, I worked for both of the  
22 major teacher's unions over 20 years. And I'm a  
23 senior citizen. And I have a stake in this also. I  
24 have a fully electric house. I make less than  
25 \$1600.00 a month. Which is a lot for me, when I

1 compare it to the neighborhood people. I volunteer  
2 at a food bank. We service not only food but we  
3 also give utility assistance. That utility  
4 assistance goes out to about 20 percent of the  
5 individuals that come in there. We don't have a lot  
6 of money. We normally end up giving, maybe a  
7 hundred dollars per person and they have cut off  
8 notices. They're not coming in there to get their  
9 utility bills paid, they are coming in there to keep  
10 from having their utilities cut off. We have two  
11 cash cows in here right now. One just has more  
12 money than the other. They are feeding each other,  
13 but they are also feeding the consumers, the small  
14 consumers. What I see as one of those small  
15 consumers, is the cash cows eating their litter.  
16 And I don't see where that's ever going to change  
17 because the individuals who have all the power are  
18 the ones who are ultimately going to win. Thank  
19 you.

20 JUDGE WOODRUFF: Thank you, sir.

21 CHAIRMAN KENNEY: Thank you, Mr.

22 Johnson.

23 COMMISSIONER STOLL: Thank you for your  
24 testimony.

25 MR. JOHNSON: You're welcome.

1 JUDGE WOODRUFF: Is there anyone else  
2 in the audience who would like the chance to  
3 testify? I don't see anybody else coming forward.  
4 So once again, thank you all for coming. Any last  
5 comments from the commissioners?

6 CHAIRMAN KENNEY: No. Just thank you  
7 for taking the time to come from far and near to be  
8 here to participate in the process. We really do  
9 appreciate it.

10 COMMISSIONER STOLL: We appreciate your  
11 participation, and I think most people realize that  
12 next week we actually start the evidentiary hearings  
13 in Jefferson City. And we will be, basically,  
14 having a complete hearing with testimony from  
15 various expert witnesses. And if you -- I believe,  
16 I don't believe, I know you can actually tune into  
17 that over the internet. But there is somebody that  
18 can talk to you more about that, so thanks for being  
19 here tonight.

20 JUDGE WOODRUFF: Our website is  
21 psc.mo.gov; and you click on -- once you get there,  
22 there's links that will take you to the live webcast  
23 of any hearing you want to watch. And then the  
24 Commission will issue a statement in a couple  
25 months.

1 COMMISSIONER STOLL: Thank you.

2 JUDGE WOODRUFF: Thank you all for  
3 coming again and we are adjourned.

4

5 (WHEREIN, the hearing was concluded at

6 9:15 pm)

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