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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
TRANSCRIPT OF PROCEEDINGS
Local Public Hearing
June 9, 2014
Caruthersville, Missouri
Volume 1

Noranda Aluminum, Inc., et al,)
Complainants,)

V.) File No. EC-2014-0223

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

Noranda Aluminum, Inc., et al,)
Complainants,)

V.) File No. EC-2014-0224

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

MORRIS L. WOODRUFF, Presiding
CHIEF REGULATORY LAW JUDGE
STEPHEN M. STOLL,
DANIEL Y. HALL,
COMMISSIONERS

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APPEARANCES

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P.O. Box 2360
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1 PROCEEDINGS

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3 JUDGE WOODRUFF: Good evening, once again.
4 We're going to start the formal on-the-record proceeding
5 of the pre-hearing conference now, and I want to make a
6 few preliminary remarks here.

7 My name is Morris Woodruff and I'm the Chief
8 Regulatory Judge of the Service Commission. I'm on the
9 podium, we have two commissioners. To my right is Mr.
10 Stephen Stoll.

11 Mr. Stoll, you want to make any opening
12 remarks?

13 COMMISSION STOLL: I would just like to tell
14 everyone we do appreciate you coming out. Local public
15 hearings are very important to us. And, point out that
16 there are five members of the Missouri Public Service
17 Commission. Three of them are, couldn't be here today,
18 but, I can assure you that they will be reading the
19 evidence in the record. We have a court reporter here,
20 and they will be reading your comments this evening.
21 So, other than that, I just want to welcome you again
22 and say that we look forward to hearing your comments
23 and concerns.

24 JUDGE WOODRUFF: Thank you. To my left is
25 Commissioner Daniel Hall.

1 COMMISSIONER HALL: Good evening. I'm gonna
2 be very brief. We are here to listen to you. Like
3 Commissioner Stoll said a moment ago, we take these
4 hearings very seriously and we welcome your input, and
5 look forward to hearing you from you today.

6 JUDGE WOODRUFF: Chairman, Robert Kenney was
7 planning on being here tonight. He had a family
8 emergency come up and couldn't make it, so he sends his
9 regrets.

10 We're here for two different cases,
11 ES-2014-0223, which is the case of over-earnings and
12 Noranda has filed a complaint against Ameren wishing
13 that these rates would be reduced in the future.

14 The second is ES-2014-0224, which is, again,
15 by Noranda against Ameren, and that is alleging that the
16 Ameren rates charged to Noranda should be reduced with
17 the other customers, Ameren customers taking up the
18 slack.

19 So we'll begin by taking up these
20 appearances by the attorneys who are here. So we know
21 who is here. On behalf of Noranda?

22 CAROLE ILES: Your Honor, Carole Iles, 221
23 Boliver Street, Jefferson City, Missouri.

24 DIANA VUYLSTEKE: And Diana Vuylsteke, Bryan
25 Cave, LLP, 221 Bolivar Street, Jefferson City, Missouri.

1 JUDGE WOODRUFF: And, for Ameren?

2 TOM BYRNE: Your Honor, I'm Tom Byrne,
3 representing Ameren, Missouri. My address is 1901
4 Chouteau Avenue, St. Louis, Missouri, 63103.

5 JUDGE WOODRUFF: Is anyone here from the
6 staff of the commission?

7 AKAYLA JONES: On behalf of Commission Staff
8 Counsel Akayla Jones, P.O. Box 2360, Jefferson City,
9 Missouri, 65102.

10 JUDGE WOODRUFF: And the office of public
11 counsel?

12 DUSTIN ALLISON: Dustin Allison, Office of
13 Public Counsel, P.O. Box 720, Jefferson City, Missouri,
14 65102.

15 JUDGE WOODRUFF: Any other attorneys here?
16 All right, well, as you were coming in here,
17 you signed up on the sign-up list here. What I'm going
18 to do is call the names on the list and have you come up
19 to the podium up here and then I'll swear you here, and,
20 to tell the truth, nothing but the truth and you can
21 make your statement. After you made your statement,
22 then I'll ask the commission if they have any questions
23 for you, and I may have some questions for you and I'll
24 ask the parties also if they have any questions for you.
25 So let's go ahead and get started. The first name on my

1 list is Senator Doug Liable.

2 JUDGE WOODRUFF: Good evening, Senator.

3 SENATOR LIABLE: Good evening.

4 JUDGE WOODRUFF: Would you please raise your
5 right hand.

6 (Speaker is sworn by Judge Woodruff.)

7 SENATOR LIABLE: Thank you, Commissioner. I
8 welcome you to the Bootheel. Doug Liable, state
9 senator, 25th District, welcome you to my district.
10 Thank you for providing me the opportunity to speak
11 today. I've heard a lot of testimony around the
12 Capitol building and people visiting with me, and I
13 understand that no one wants to pay higher electric
14 rates. But, by the process of the Jefferson City and
15 the Public Service Commission, there's no doubt that
16 because Noranda is fighting for all consumers, they
17 bring much more value to all customers than what Noranda
18 is requesting. All customers rates will be
19 significantly higher if it wasn't for Noranda, and not
20 to mention rates will increase even more if Noranda is
21 no longer in business. This is exactly what I tell my
22 constituents when asked. The Public Service
23 Commission, our Public Service Commission has an
24 opportunity to do something crucial for our economy. It
25 will help the entire state, and, in particular,

1 southeast Missouri, one of the poorest regions of this
2 entire country. My district that you're in here now, I
3 have eight counties I represent. Four of my counties
4 are the poorest counties in the state of Missouri.
5 Also, the congressional district that you're in, is one
6 of the poorest congressional districts in the United
7 States. I know at one time we were in the top 10 being
8 the poorest. Think we've now got out of the top 10, and
9 we're maybe somewhere in the low teens, but I don't
10 think that's because we're doing better, somebody must
11 have gotten a little bit worse. But I do appreciate you
12 being here and I appreciate the atmosphere and the
13 questions that we got awhile ago, and I'm not gonna take
14 a lot longer. But, I do have two other things I'd like
15 to address real quick. As you know, the viability of
16 the Noranda Aluminum smelter in New Madrid and the nine
17 hundred family-sustained jobs at that plant are almost
18 entirely dependent on having reliable, affordable
19 energy. Recently the affordability of energy in
20 Missouri has come under attack. Ameren alone has
21 raised electric rates by 43 percent over the last six
22 years. This dramatic increase has hurt families and
23 business, so this is more than just about Noranda here,
24 which is what I've always said in the Capitol.
25 According to public testimony filed with the Public

1 Service Commission this would make Noranda significantly
2 less competitive. Of the smelters located in the U.S,
3 Noranda has the second highest electric right. It is
4 also one of two electric smelters not receiving any type
5 of economic support in power costs. Now Noranda has
6 brought in competitive rate request case to help fix the
7 situation and has done so in a way to protect consumers.
8 Me and many of my fellow legislators support this
9 competitive rate request because we know the value of
10 keeping these nine hundred higher paid family sustaining
11 manufacturing jobs in Missouri. Frankly too many of our
12 Missouri manufacturers have now moved to China or
13 Mexico. I will tell you, international competition is
14 fierce. I come from a background of business and
15 manufacturing and international competition is at an all
16 time high. I hate to see what the economy in the
17 Bootheel will look like. And, basically, it will look
18 bleak. In other words, if Noranda closes, these jobs
19 simply can't and probably will not be replaced. If
20 successful, the New Madrid plant was hoping to have the
21 second highest of any smelter, this proposal in front of
22 the PSC, importantly and neutral to Ameren. Any
23 increase to other rate payers is estimated to be 1.8
24 percent or less. As we know, nobody fights harder for
25 consumers in Missouri than Noranda has. They take all

1 rate hikes seriously. In this particular case, the
2 consumer rate in this position, if Noranda was, if
3 Noranda were to no longer be an Ameren customer, either
4 because the plant has closed, or Noranda is forced to
5 start buying power on the private market, consumers
6 would see a significant increase. This is why smart
7 consumers support this common sense proposal in front of
8 the PSC. The other matters in front of the PSC are
9 Ameren's rate for business and residence. As I've
10 already advised, they've already raised rates by 46
11 percent over the last six years, and is proposing a 10
12 percent by the PSC. According to public documents,
13 Ameren has earned \$100 million more than it's authorized
14 in just the past two years. I would ask the Commission
15 to hold Ameren accountable for those earnings and to
16 lower rates. It's also been reported that Ameren has
17 received over \$500 million in surcharges since 2009 on
18 top of this. In fact, if Noranda is successful in both
19 cases, all of customers, Ameren's customer rates will go
20 down in the first year. Every so often public service
21 opportunities present themselves for us to make a real
22 and meaningful difference in people's lives. Now is
23 the time I ask this Commission to do just that. Thank
24 you very much for your time today. I want to say one
25 more thing in closing, just so you know, in four of my

1 counties, in my district, median income for a family of
2 four, believe it or not, is just a little over \$26,000 a
3 year. So, you know, what may seem insignificant to
4 some areas, for instance, in the Jefferson City area the
5 median income family of four is approximately \$57,000,
6 in St. Charles it's close to \$80,000, so that's what
7 we're up against. I'm committed for economic
8 development in the Bootheel for good family sustaining
9 jobs and willing to work with anyone to make sure that
10 happens. Thank you.

11 JUDGE WOODRUFF: Thank you.

12 Mr. Stoll, do you have any questions?

13 COMMISSIONER STOLL: No. I did just want to
14 thank you for your testimony.

15 JUDGE WOODRUFF: Mr. Hall?

16 MR. HALL: No questions, except thank you.

17 JUDGE WOODRUFF: Any questions?

18 Terry Swinger?

19 Would you please raise your right hand?

20 (Speaker is sworn by Judge Woodruff.)

21 JUDGE WOODRUFF: What would you like to tell
22 us?

23 TERRY SWINGER: My name as Terry Swinger.

24 Southeast Missouri's been my home all my life. I grew
25 up in Stoddard County, and after attending the

1 University of Missouri and Southern College of
2 Optometry, I moved to Pemiscot County here in
3 Caruthersville where a short time I practiced optometry
4 for thirty-five years. This area has been a great place
5 to live, to work, and to raise my family. I had the
6 privilege of representing all of Pemiscot County and
7 parts of Dunklin and New Madrid Counties in the Missouri
8 legislature from the first of 2004, to the end of 2012.
9 I'm currently the Collector of Revenue in Pemiscot
10 County. Therefore, I'm keenly aware of the tough
11 economic challenges we face. There are not enough jobs
12 in this area, and, many of the jobs we have do not pay a
13 living wage. When I was first elected to the
14 legislature I was able to go along with the other newly
15 elected representatives on a tour of the state, and we
16 toured southwest Missouri and we went to Springfield
17 where we were told that one out of four of all the new
18 jobs that were being created in Missouri were being
19 created in Springfield. Then we passed through Ozark
20 where we were told that it had grown from 3,000 to
21 10,000 in the last two decades. And, finally, in
22 Branson, we were told that of all the hotel rooms being
23 built in Missouri, one out of six was being built in
24 Branson. I'm pleased that southwest Missouri has
25 enjoyed this positive growth, and I wish it happened all

1 over the state, but that's not the case. For instance,
2 in Pemiscot County, if you go down to the courthouse
3 where there's a historical marker down there, and it
4 says in 1900 population is like 12,115. In 1950, the
5 population is 45,624. And, today, the population of
6 Pemiscot County is 18,000. That's not unlike what's
7 happening in the rest of the counties in this area. I
8 know how hard it is to create jobs in this area. That's
9 what makes it so important that we retain the jobs that
10 we have now. I believe the retention of these jobs is
11 critical to the fragile economic health of our area.
12 There's a lot of documented facts about Ameren, about
13 Noranda. We've heard that there's nearly a thousand
14 employees at Noranda. There's nearly a hundred million
15 dollar's payroll of the year. There's nearly a \$300
16 million annual impact to our area. I know personally
17 what Noranda has meant to our optometric practice. I'd
18 been in practice less than ten years when the plant
19 opened in New Madrid and we had the optometric practice
20 here in Caruthersville, and Pemiscot County, but also
21 have one in Kennett and Dunklin County. We have one in
22 Portageville, less than ten miles from the plant, in New
23 Madrid County. For years, New Madrid, the plant at New
24 Madrid, Noranda, paid our full fee for our services,
25 and, now in all three of our practices, we're seeing

1 second and third generation employees from this very
2 important vital plant to our area. We've already heard
3 that there's been a 43 percent increase in just the past
4 five years, and, what Noranda is paying for their
5 electrical power. And, that is unsustainable to any
6 business. And I'm not here to decry or to talk negative
7 about Ameren. On the contrary. When we had the
8 devastating tornado here in 2006, Ameren did an
9 exemplary job. Many of their employees working
10 eighteen hours a day, basically rebuilding the entire
11 power system in our county. In '09 when we had the
12 devastating ice storm, again, we saw Ameren come in. It
13 was like a military operation. They'd already fought
14 the battle in '06, and in '09. I mean, they came in in
15 wave after wave, one truck after another. And in a
16 record amount of time, we had the power restored to this
17 area. Time and time again Ameren does a terrific job,
18 but my contention is, having served in the legislature,
19 as I know you have, Commissioner Stoll, and, having
20 served in the executive branches, I know you have
21 Commissioner Hall, if we were able to have a proposal
22 before us that we could have a plant move to Missouri
23 that would create nearly a thousand jobs with an annual
24 payroll of a hundred million dollars, with an impact of
25 nearly \$300 million annually to our area, I bet we would

1 all vote for a package that would give all kind of
2 incentives and tax breaks to that industry, just like we
3 did in 2010 with Governor Nixon had incentives for a
4 special tax we when were about to close the plant. We
5 put in place incentives, where the plant not only
6 stayed, it thrived. The automobile industry now in St.
7 Louis have benefitted from that and they thrive from
8 that too. And I bet your good corporation partner,
9 Ameren, if they could create that again, it would be a
10 plus for everyone the rate that Ameren has been put to
11 them now, I bet they'd jump on board and help us attract
12 that industry, to attract all those job. Well,
13 Commissioners, that industry is here. It's much more
14 beneficial to retain an industry when the infrastructure
15 is already in place. We have a wonderful opportunity
16 to retain these important jobs, and keep these economic
17 drivers that floats nearly all the economic ships in
18 this area. I want to thank you for the privilege of
19 being able to make this presentation tonight. I know,
20 I know you, I know, I'm familiar with your past record
21 of service, and I admire your commitment to service.
22 We all here appreciate that you've had the hearing in
23 our area, and I know that you'll make the right decision
24 for our area and our state. Thank you, very much.

25 JUDGE WOODRUFF: Mr. Stoll, any questions?

1 COMMISSIONER STOLL: I just want to thank you
2 for coming out this evening and I appreciate your
3 comments.

4 TERRY SWINGER: Thank you, Commissioner
5 Stoll, I appreciate you.

6 MR. HALL: No comments.

7 JUDGE WOODRUFF: All right, and, some more
8 names here. I do want to remark that we've got about
9 thirty-five names on the list, so if you can follow the
10 representatives that have already spoken and keep it to
11 about five minutes, I would appreciate it, and, your
12 neighbors would appreciate it too.

13 The next name on the list is Don Moore.

14 JUDGE WOODRUFF: Good evening, sir, please
15 raise your right hand and I'll swear you.

16 (Speaker is sworn by Judge Woodruff.)

17 JUDGE WOODRUFF: And your name is Don Moore?

18 DON MOORE: My name is Don Moore, yes, sir.

19 JUDGE WOODRUFF: Go ahead.

20 DON MOORE: First, of I want to thank you
21 for allowing me to speak. I'm just an ordinary guy, I
22 hold no office.

23 JUDGE WOODRUFF: We're having a hard time
24 hearing you, you might want to raise the microphone.

25 DON MOORE: How about if I just lean over.

1 I want to thank you for allowing me to
2 speak. I thought when I got here tonight that I would be
3 the oldest person in the room. As it turned out, Dr.
4 Swinger came in and I knew that was not going to be the
5 fact. He and maybe a couple of others are old enough
6 to remember what I want to relate to you tonight. Now,
7 you heard a lot of statistics. You heard a lot of
8 policy. But I want to relate this personally in two or
9 three different ways. It will be basically the same
10 story that you heard and there won't be anything new in
11 what I say, but it never hurts to be reminded. Again,
12 my name is Don Moore. I live in Sikeston, Missouri. I
13 work as a sales manager for Stewart Steel, and Stewart
14 Steel has been a vendor, a supplier of metal product at
15 Noranda Aluminum for over forty years, almost since it's
16 beginning. I'm also an Ameren customer, and, like all
17 the other customers, I really don't want to see my rate
18 go up. But, again, I'm probably one of the few people
19 that do remember when Noranda was not here. I remember
20 a fairly consistent migration of people, and even
21 sometimes young people in particular, but sometimes
22 whole families who would leave the area go to
23 neighboring states to larger cities to try to be able to
24 find work that would sustain them and their families.
25 But I remember when that migration came to a trickle.

1 I remember when property values all over this area began
2 to go up. And I remember when I hoped for a better
3 life and the future for the citizens of this area became
4 a reality. In the 1960's, and I know that's before a
5 time when many of the people in this room were born,
6 there were men of means with a vision that dreamed and
7 brought in to reality of St. Jude Industrial Park. And
8 one of the first, if not the very first tenant was
9 Noranda Aluminum. All of us who have lived here since
10 that time have benefitted directly or indirectly from
11 having an industrial complex like Noranda Aluminum in
12 our area. I could not guess the number of individuals
13 who have worked for Noranda, been directly employed by
14 them over the forty-five years for so of their
15 existence, but whatever the number is that have worked
16 directly for Noranda, just as many people have
17 benefitted in this area, by the increase of this area of
18 their own talents and abilities because of the
19 appreciation of the labor market came to this area. I'm
20 here to convey Stewart Steel's assessment of what would
21 happen to its business if Noranda Aluminum closed.
22 Stewart Steel has 110 employees and two major divisions.
23 The structural division where I work at of sixty-seven
24 employees. Usually there are seven to nine of those
25 employees working on Noranda projects all the time.

1 Those jobs will be directly affected by the loss of
2 Noranda Aluminum. This kind of loss would be
3 multiplied many times over this area as other businesses
4 associated with Noranda Aluminum cope with its closure.
5 The entire area has benefited from the construction and
6 operation of Noranda Aluminum for almost two
7 generations. Those who were born after Noranda
8 economic impact to this area matured, and do not fully
9 realize the way they have benefitted, may be surprised
10 at their suffering through the years following a closure
11 of Noranda Aluminum as Noranda's positive economic
12 impact diminishes and drains from every southeast
13 Missouri community and the migration resumes. Thank
14 you for letting me speak.

15 JUDGE WOODRUFF: Any questions, Commissioner
16 Stoll?

17 COMMISSIONER STOLL: Thank you for your
18 testimony.

19 JUDGE WOODRUFF: Mr. Hall?

20 COMMISSIONER HALL: Thank you.

21 JUDGE WOODRUFF: Any questions?

22 Thank you, sir.

23 The next name on the list is Roger Johnson.

24 Roger Johnson? Move on to Russell Oliver.

25 Good evening. You are Russell Oliver?

1 RUSSELL OLIVER: I am. I'm the Stoddard
2 County Prosecuting Attorney.

3 JUDGE WOODRUFF: Please raise your hand, and
4 I'll swear you.

5 (Speaker is sworn by Judge Woodruff.)

6 RUSSELL OLIVER: Commissioners, I have a
7 letter to deliver and it's signed -- may I approach?

8 JUDGE WOODRUFF: You may.

9 RUSSELL OLIVER: This letter is signed by
10 every county elected official in the Bootheel are
11 fifty-six elected officials that signed this letter.
12 They are, all the elected firm from New Madrid, Dunklin,
13 Pemiscot, Stoddard, and Butler Counties with the
14 exception of two individuals that were not able to be
15 reached. And I'd like to read that letter to the
16 commission at this time.

17 "We, the elected county officials of New
18 Madrid, Dunklin, Pemiscot, Stoddard, and Butler Counties
19 write you today as a collective group to express our
20 extreme concern for the economic well-being of our
21 communities should the unthinkable event of the closure
22 of Noranda Aluminum occur due to increased electric
23 rates charged by Ameren Missouri.

24 As it is certainly understandable that a
25 company such as Noranda could not survive an increase of

1 \$44 million over six years for a single overhead item
2 such as electricity, we support the rate reduction
3 requested by Noranda. We respect the heavy burden this
4 decision places upon you as Public Service Commissioners
5 and request that you consider the disastrous effects to
6 our region that the closure of Noranda will cause in
7 your deliberations.

8 What we can say with certainty is the dire
9 economic ramifications that the closure of Noranda
10 Aluminum would have on our region. Noranda is not
11 simply the foundation for the economy of New Madrid
12 County, it is in many ways the bedrock to multiple
13 sectors of the economy for this entire region. The loss
14 of nine hundred high-paying jobs with substantial
15 benefits will cause irreparable cascading damage to many
16 business sectors that rely on both serving as vendors
17 for the supply and maintenance of the smelter as well as
18 those businesses that rely on the patronage of those
19 employees of Noranda. It is difficult to conceive of a
20 business sector that will not be devastated by the loss
21 of these nine hundred high-paying jobs with substantial
22 benefits. The housing market will plummet in all
23 counties, with the epicenter falling in New Madrid and
24 cascading across the surrounding counties. The
25 construction industry, including hardware supply stores,

1 carpenters, plumbers, and electricians, will suffer as
2 nine hundred fewer high-paying jobs means far less new
3 home construction in the region. The banking industry
4 will suffer crushing numbers of defaults and home
5 foreclosures when these nine hundred families suddenly
6 face the grim reality of having far less or no income to
7 pay their notes. The list goes on and on. The scenario
8 that plays out throughout this region upon the closure
9 of Noranda Aluminum can be summed up in one word: Dire.
10 The citizens of this region are a proud, resilient
11 people. They pride themselves on working hard and being
12 self-sufficient and self-sustaining. The sad reality of
13 this situation is that should Noranda shut its doors, no
14 matter how determined the people are, we will not
15 recover. This area and its proud history will be
16 forever damaged and its people forever injured. The
17 socio-economic fabric of this region will never be the
18 same. Therefore, we, the elected officials of New
19 Madrid, Dunklin, Pemiscot, Stoddard, and Butler Counties
20 implore you in your deliberations to consider the
21 citizens of our counties and the drastic effect your
22 decision will have on each and every one of their lives.
23 To preserve our regional economy and way of life, we
24 respectfully request that you grant Noranda Aluminum
25 their requested rate reduction. Respectfully, the

1 elected county officials of New Madrid, Dunklin,
2 Pemiscot, Stoddard, Scott, and Butler Counties."
3 Attached to this letter, you've find a signature page of
4 fifty-six county officials that all in unison agree with
5 what this letter says. I'm sure that most of you have
6 been around politicians, and, I've been around Missouri
7 state politicians, I've been around local politicians,
8 and I guarantee you that these county officials, if
9 you've been around county officials very much in your
10 life, you would agree that you probably couldn't find
11 two officials that could agree on what color to paint
12 the courthouse walls, but they're all unison on this
13 issue. These officials come from varying backgrounds.
14 They're all leaders in respective communities. Some
15 come from real estate, some from small business, some
16 factory workers, some farmers. They represent all walks
17 of life, and they all describe the future of the
18 Bootheel without Noranda as bleak. I want that thank you
19 for taking time out of your lives to come to our part of
20 the world, and before you leave the Bootheel, before you
21 leave Caruthersville, before you return to your part of
22 the world, I ask you to do one thing. I ask you to stop
23 at a diner, stop at a gas station, stop anywhere where
24 people are gathered here in the Bootheel. When you do
25 that, you'll see the faces of good, honest, hard working

1 people. You'll see families, some young and some old,
2 some starting out on life's journey, and some nearing
3 its end. Some of these people can reminisce about the
4 good old days when if you lived in the Bootheel and you
5 were willing to work, there's a job that could support a
6 family. Some of the people you will see weren't lucky
7 enough to experience those days. Go look in the faces
8 of these people's whose decisions will alter their lives
9 permanently. After you've done this, after you've seen
10 the faces, then realize the Bootheel's dirty little
11 secret that no one talks about. Every third person you
12 see, every third person you meet and talk to lives in
13 poverty. Every third person you pass on the road as
14 you are leaving and driving home, you're meeting a
15 person that's driving home to a household ripped by the
16 chains of poverty. Every third child this gets off
17 that big yellow Caruthersville school bus, steps off the
18 bus in to the harsh realities of poverty. That third
19 person all too often is a single mother not knowing
20 where the next meal for her family is coming from.
21 These are the same people whose economic struggle will
22 be exacerbated when faced with living in the Bootheel
23 without Noranda. These are the same people whose
24 schools will have a lower tax base when Noranda shuts
25 its doors. These are the same people who work minimum

1 wage jobs at coffee shops, the gas stations, the
2 restaurants that are directly dependent on Noranda's
3 employees purchasing their services to survive and to
4 stay in business. Now the other two people that you
5 meet, these are not in poverty. These are two people
6 they can pay their mortgage. They can and do donate to
7 local charities, to their church, to civic
8 organizations. They pay taxes. They plan and they
9 hope for the future. They're not wealthy, but they're
10 able to scrimp and pay for their kids' braces, their
11 college tuition. They furnish their family with what
12 every American wants to provide, a chance for a better
13 life for their kids, to give their kids what every
14 American deserves, opportunity. And a great number of
15 them, over nine hundred people in households are held
16 out of the depths of poverty because there still remains
17 one remnant of the good old days, Noranda Aluminum.
18 Noranda still provides those job, if you're willing to
19 work, you can earn and sustainable wage. They provide
20 benefits like retirement, and, peace of mind through
21 financial security to your family. These are nine
22 hundred household with kids, a wife, mortgage, a car
23 payment. They're all sustained because of Noranda. We
24 as a State spend hundred of million dollars seeking
25 economic development, seeking jobs, seeking living

1 wages, but consumers that are now asked to bear the cost
2 of a couple dollars per month, in a rate shift, are the
3 same that every year are required by the state of
4 Missouri to pay, in their tax dollars, to help Missouri
5 find more jobs. In the hopes to provide for jobs to our
6 state, Missouri takes from these same p people sums that
7 are exponentially greater than what is being requested
8 to save these nine hundred real jobs. Far too many
9 times those tax dollars spent chasing the rabbit of
10 economic development end in fruitless endeavors. Those
11 tax dollars rarely equate directly to real on-the-ground
12 jobs, instead they are spent on the bureaucracy of the
13 Department of Economic Development, tax credits that
14 don't create jobs, Mamtek, Cape Dentistry. But in this
15 situation, this return on investment is real, it's
16 cognizable, it's definite. It's nine hundred jobs kept
17 in an economically depressed area. These are nine
18 hundred real world jobs paying enviable, sustainable
19 wage. These are not projections, this is reality.
20 These are not nine hundred jobs that may come in the
21 future. These are nine hundred jobs that are here.
22 These are not pie-in-the-sky hopes touted by
23 grandstanding politicians. These are nine hundred
24 families being able to pay for your kids college or
25 barely being able to buy groceries. These are not

1 punchlines. These were not sound bites. These are nine
2 hundred real now present jobs that are not coming to the
3 Bootheel and will never be replaced by jobs at these pay
4 levels. I've asked numerous community leaders, what
5 does the Bootheel look like without Noranda. There is
6 an unwavering, universal response, I don't even want to
7 think about that. Noranda is this region's Doe Run.
8 Those nine hundred jobs are never coming back to the
9 hills of central Missouri. Those 1300 jobs will never
10 be replaced with other \$80,000 a year jobs. If you
11 could bring back those other 1300 jobs to those
12 communities, if you could bring back the tax base to
13 those schools, the family security, opportunity, and the
14 pride and self-worth of earning a sustainable wage,
15 would you? Is the closure of Noranda an economic
16 Armageddon? For New Madrid County it is. For
17 Pemiscot, Dunklin, Scott, Butler, and Stoddard County,
18 yes, sir. For those businesses that supply Noranda it
19 certainly is. Will there be looting in the streets?
20 No. Will there be a slow pervasive inescapable malaze
21 envelope this region when these nine hundred people
22 become that third person living in poverty? Absolutely.
23 Thank you for your time.

24 JUDGE WOODRUFF: Questions?

25 COMMISSIONER STOLL: No questions, thank you

1 for your comments.

2 COMMISSIONER HALL: No questions.

3 JUDGE WOODRUFF: Thank you.

4 Mr. Oliver, I'm going to go ahead and mark
5 your letter is Exhibit 1 and admit it in to the record.

6 Next name on the list is Vincent Berry.

7 JUDGE WOODRUFF: Good evening, sir.

8 (Speaker is sworn by Chief Woodruff.)

9 JUDGE WOODRUFF: Thank you.

10 VINCENT BERRY: I want to thank you, the
11 members of the commission, for having us speak today. I
12 come before you to speak kind of as an employee of
13 Noranda Aluminum, a proud steel worker. I also come as
14 an elected alderman from the city of Portageville, and
15 most importantly as a father I've been with Noranda
16 Aluminum for over eight years, is an excellent job, it's
17 something that I could dare say I couldn't imagine my
18 life without it. So the impact to me, should Noranda
19 Aluminum close is very adamant. As an alderman and as
20 elected official for the city of Portageville, today I
21 spend some time in my city hall and by my calculation,
22 we have about 147 businesses in and around Portageville
23 that should close, of course in a tax basis, multiplying
24 that out, on the number of restaurant workers they would
25 lose, supermarket workers we would lose. The layoffs

1 that we have to indefinitely come through our school
2 system as families, because of the loss of jobs, we
3 would lose literally hundreds of thousands. In fact, in
4 order to support our city, that means less cops on the
5 job, that means less fire fighting ability, that means
6 less street patrols. The impact to not only just
7 Portageville, but every community around the area would
8 just be catastrophic. It would be beyond belief. As a
9 father, I look forward to my children growing up,
10 getting the best education possible, and someday
11 hopefully getting a job with a sustainable wage as a
12 future like I have. I will lose that because of the
13 loss of Noranda. We look at, and we go along doing
14 better for our children, and, in that, we look at what
15 are we going to leave them. Now, I understand that we
16 have to leave our children better than we are, and in a
17 better environment, but when we take the cost of
18 compliance that is being saddled not only in Noranda,
19 but also Ameren, we continue to increase the cost
20 compliance, and not only in a legislative process, but
21 from an administrative process that we as voters have no
22 way of controlling. This goes against everything that
23 America is founded upon. So, as a Public Service
24 Commission that is where we need to reign this in. We
25 need to reign in this cost of compliance.

1 JUDGE WOODRUFF: What do you mean by cost of
2 compliance?

3 VINCENT BERRY: Well, again a 30 percent
4 reduction cap in green house gases. The amount of
5 compliance issue that we have, I am a laboratory tech.
6 I know the costs of compliance up there, and every year
7 something more comes down the industry that goes, more
8 and more of our capital goes to capital with regulatory
9 requirement than environmental requirements. I
10 understand, I want to leave my children a better place,
11 but I am not willing to bet on an Armageddon that may
12 happen in twenty years environmentally and take an
13 economic Armageddon that's gonna happen in two years if
14 we close. We are cutting off our nose to spite our
15 face. So from an employee standpoint, from an elected
16 individual standpoint, and from a father's standpoint, I
17 implore you to look at this in the way that we see it
18 from here. There is no coming back from this. The,
19 the economics of this are plain and simple, we will lose
20 whatever base of support we have taken away.

21 COMMISSIONER STOLL: Thank you.

22 COMMISSIONER HALL: Thank you.

23 JUDGE WOODRUFF: The next name on the list
24 is Neil Priggel.

25 Good evening, sir.

1 NEIL PRIGGEL: Good evening. How you are?

2 (Speaker is sworn by Judge Woodruff.)

3 JUDGE WOODRUFF: Thank you. And for the
4 benefit of the court reporter, can you state your name,
5 please?

6 NEIL PRIGGEL: My name is Neil Priggel,
7 P-R-I-G-G-E-L.

8 JUDGE WOODRUFF: Thank you, very much.

9 NEIL PRIGGEL: We would like to welcome you
10 to southeast Missouri. As a community, we thank you for
11 establishing this meeting to hear our support with the
12 cases currently before you. I would like to take this
13 opportunity to explain what Noranda Aluminum means to me
14 and the community of southeast Missouri. In order to
15 understand the importance of the New Madrid smelter to
16 the Bootheel region, my family, and myself, I think it's
17 important to review our history. As I said, my name is
18 Neil Priggel. Our family has been part of the
19 Portageville community for over 100 years. We moved
20 out of the lead mines of Fredericktown to pursue the
21 occupation of agriculture. As a young man coming
22 through high school, I had dreams of being a farmer, but
23 besides the farms have become so large, that was evident
24 to me that I should get an engineering degree from the
25 University of Missouri and then come back and work for

1 Noranda. I have worked for Noranda nineteen years.
2 Earlier we talked about the plant, talked about how
3 Noranda came to be. I think it's important to review
4 the history of it to actually see what kind of effort is
5 needed to bring manufacturing of these jobs like we have
6 to this area. In 1960 the Bootheel area was mostly
7 farming. Technology was progressing and slowly
8 removing the need for farm labor, much like it is today.
9 Local small town banker by the name of Sam Hunter
10 realized that some type of manufacturing was needed to
11 advance the Bootheel economy and I'm talking about good
12 paying jobs like the one's we have at Noranda. He took
13 a year off from the bank to work on this project,
14 meeting many residents in the Bootheel area who thought
15 his endeavor was a lost cause. In 1967 Mr. Hunter was
16 almost certain that our region lost the plant to
17 Kentucky. I've talked to his son and he said that Mr.
18 Sam got down on his knees and he prayed like never
19 before. Mr. Sam did not give up, and he worked for the
20 coal and the power companies and was able to win Noranda
21 back to New Madrid. In December of 1967 Noranda
22 announced they were coming. In recognition of his
23 answered prayers, the New Madrid Industrial Park's name
24 is St. Jude Industrial park. You may question why the
25 name St. Jude was picked. Mr. Sam has said that if

1 there ever was a desperate case for a lost cause, this
2 project was it. St. Jude was one of the twelve
3 apostles and is known as the patron saint of desperate
4 cases and lost causes. I personally feel that Noranda
5 is the best thing that that's ever happened to southeast
6 Missouri. The economic impact the plant has on the
7 local economy is staggering. Yearly payroll, benefits
8 that exceeds 95 million. Value to area business
9 exceeds 136 million each year. Employees, nine hundred
10 people, seventy-three communities, not just
11 Caruthersville, Portageville, not just New Madrid.
12 People drive every, 14 out of 28 days they drive over 60
13 miles one way to work a 12-hour shift. That's the kind
14 of job we're talking about. Retirement payments that
15 exceed 7.6 million. Noranda impact supports about nine
16 hundred Missouri jobs with annual wages of salaries of
17 158 million. Noranda pays 17.9 percent of the total
18 taxes which I don't know who will pay if they would
19 leave New Madrid. Noranda pays 28.7 percent of the
20 taxes through the New Madrid R-1 schools. Noranda also
21 helps support by over \$500,000 the United Way, Community
22 Sheltered Workshop, and organizations such as Kenny
23 Rogers. Noranda has continued to invest in the plant
24 with approximately \$304 million over the past decade.
25 So, let's talk about poverty. Noranda's contribution

1 to the economy is enormous. Even with the income, the
2 Bootheel area still has three of the 10 lowest median
3 household incomes in the state. If we should ever lose
4 the plant, I think that would be safe to say that the
5 Bootheel will drop, will have the top three median
6 household incomes, and was we heard earlier today,
7 instead of every third kid getting off the bus being
8 poor, it would be every, it would be two out of three.
9 Never close? Noranda is such a vital part of the
10 southeast Missouri area, local and states citizens think
11 that it's impossible for this plant to close. Growing
12 up in Portageville, I thought the same thing. Noranda
13 is never going to close. They got forty acres under
14 roof, they own a 3,000 acres industrial park. They'll
15 never close. So as I went to school and I got my
16 engineering degree I came back and I started to work at
17 Noranda and my eyes were opened. I traveled to other
18 smelters, some twice as big as ours, and I look at
19 buying equipment from them because they are no longer
20 viable. I tell you how we drove up and we drove up to
21 these places and as you approach the plant there's a
22 fence, but a majority of the equipment, the building,
23 the columns, the quarter mile long aluminum smelter
24 buildings have all been removed, the only thing left is
25 a concrete hole. How can that happen? It will never

1 happen to Noranda I used to think, but not now. In the
2 last thirty-two years twenty-three of thirty-two
3 aluminum smelters have closed in the United States.
4 Many of these smelters' employees have come to work
5 seeking employment. As I have talked to these people
6 they tell me that they also thought that their plant
7 would never close and that one day you show up and you
8 get a pink slip. They were champions of communicating
9 to our employees and we cannot let this happen to us or
10 southeast Missouri's economy. So what is Noranda doing
11 to prevent from becoming number twenty-four out of
12 thirty-two? Noranda has realized that we have to
13 improve in our operation. We started in 1997 with a
14 single purpose and we are going to fight that we don't
15 become 24. Unfortunately Noranda's not a monopoly. We
16 sell a commodity business. We cannot pass our cost onto
17 the consumer. In order to survive, Noranda has recently
18 pursued our cost as lowering our costs struck further in
19 three areas. First thing you do is increase
20 production. Since 1997 we've increased over \$304
21 million. We have increased our production per year by
22 twenty-two percent, 105 million pounds. So as you
23 increase your production, you make the tough decisions
24 if you still can survive. The toughest thing I have
25 ever been involved with in my nineteen years at Noranda

1 is the reduction in labor. Noranda has reduced the
2 number of employees from 1150 to 900. I have had to
3 walk people to the gate, colleagues, friends, family,
4 and it is tough. Raw materials, that's the next thing
5 you go after. We have learned to use different grades
6 of raw materials that costs less. One would think that
7 these advancements would ensure that we remain
8 competitive and ensure that Noranda is here for my kids,
9 but unfortunately it has not. Electricity accounts for
10 a third of our smelter's operating cost, and electricity
11 has basically resulted in the closing of the
12 twenty-three smelters that are referenced earlier.
13 Since we have joined Ameren, our power costs have
14 increased \$44 million. Also, Ohio didn't, our brothers
15 in the smelting industry, they tried to get a
16 competitive power rate and they were unsuccessful and
17 that plant has closed and you will hear from one of
18 those employees tonight. Noranda is currently paying
19 as eighth th out of the nine smelters that are left,
20 they're paying the second highest. I have a son that's
21 currently in high school interested in becoming an
22 engineer and working at the plant. I would like to
23 recommend to him that this would be a wise career
24 choice, but I'm concerned about our power. So when you
25 start to notice that you're in trouble, you start to

1 look around so you go back to the years that someone has
2 been here. So, I talked to my father, and he has been
3 here a resident of Portageville of seventy-eight years,
4 and we contemplated how the plant, how life would be
5 without Noranda, how it would be without nine hundred
6 jobs, how it would be without \$95 million. We also
7 discussed the local farm economy. It cannot support the
8 work force. Equipment is larger, less people are
9 needed, and that's the reason why it cannot. So he
10 stated to me that, basically, if Noranda closes, we will
11 become a welfare state which caught me by surprise and I
12 started to think about it, and think about it more. As
13 I get in my car and as you get in your car and you head
14 to St. Louis, you're gonna leave Caruthersville, think
15 about nine hundred jobs gone. Go past Hayti, go past
16 Kennett, go past Portageville, New Madrid, Gideon,
17 Campbell, all the way up through Sikeston, and when you
18 get on top of the Benton Hill, you'll look back at the
19 flat lands, the swamps, and then you'll realize that
20 everything down there will be a welfare state. And as
21 you continue to Cape, they'll survive, Cape will
22 survive, but we will not eat at Cape because we will not
23 afford to go to Cape, because that's where everybody
24 goes. That they'll be hit too. As we finished our
25 conversation, he made a profound statement that has kept

1 me awake at night. He stated son, make sure that the
2 grandkids get a good college degree. If that plant
3 closes it will not be a good place to live in southeast
4 Missouri. It brings me great concern that a man as a
5 family has been deeply rooted in southeast Missouri for
6 over a hundred years. I'm concerned that it might not
7 be an acceptable place to raise a family in the future.
8 So I'm going to close with this. I'd like to close to
9 request that you consider the impact of southeast
10 Missouri when making your decision. The Noranda smelter
11 is not a lost cause, and continue to be a viable
12 manufacturing facility providing good jobs. The only
13 thing the New Madrid facility needs is lacking, is a
14 competitive power rate. So, as I lay down to sleep
15 tonight, I will say a prayer to the patron saint of the
16 industrial park, St. Jude, that he may give you guidance
17 in making a wise decision and give the citizens of
18 southeast Missouri hope.

19 JUDGE WOODRUFF: Thank you.

20 Any questions?

21 COMMISSIONER STOLL: No questions. Thank you
22 for your testimony.

23 COMMISSIONER HALL: No questions.

24 JUDGE WOODRUFF: The next name on my list is
25 Mike Newman. Mike Newman. Fred Felter -- I'm sorry,

1 Mr. Newman.

2 JUDGE WOODRUFF: Raise your right hand.

3 (Speaker is sworn by Chief Woodruff.)

4 JUDGE WOODRUFF: And could you state your
5 name for the court reporter?

6 MICHAEL NEWMAN: Michael Newman,
7 N-E-W-M-A-n.

8 JUDGE WOODRUFF: What would you like to tell
9 us?

10 MICHAEL NEWMAN: Well, my story comes from a
11 little bit of a different direction than the other
12 speakers so far tonight. Before I begin, though, my
13 wife and I wish to proceed what went on earlier. One of
14 the gentleman up here speaking kept saying calling
15 Noranda they, they. And, as we look around, we thought
16 this is Noranda as much as it is in Nashville. This is
17 Noranda. These are the people. More personal to us.
18 Anyway, as I said, my story is from a different
19 direction. When I was first asked to speak this
20 evening, my impulse was to decline. I felt that since
21 I've only worked at Noranda since more of 2003, I didn't
22 necessarily have the investment in the plant compared to
23 some of the others who have worked here much longer and
24 have lived in this area much of their whole lives. But
25 as I thought about the scenario facing Noranda's future

1 and I begun to think maybe my story needed to be told,
2 if only to add some perspective and positive point of
3 view. It consists of three sections, and my story here
4 not, by the way, is not unique in the room. There were
5 others who have the same story very similar. As early
6 March of '55, my first 10 years I lived in Pierce, South
7 Dakota. The state capitol is a town similar to Sikeston
8 where my wife and I have lived since before moving to
9 Missouri in 2003, it is in the center of the state, on
10 the Missouri River. My dad was an iron worker, work for
11 the Oahe Dam, my granddad, my dad's dad, also worked the
12 Oahe Dam as a carpenter. Being so young at the time,
13 I, my only actually memory of when my dad worked was at
14 the Oahe Dam, and when it was built, it was the biggest
15 in the world. I remember seeing President Kennedy from
16 a distance in 1962. I was seven years old when he was
17 there to dedicate the dam, and as a seven-year-old, I
18 remember two things. He had on a blue shirt and talked
19 funny. You probably think to how that is even relevant
20 to why we're here today. I'll try to explain. After
21 the work stopped at the Oahe Dam, work became sparse,
22 and, my dad had to support his family and had to go to
23 work where work was available, which happened to be to
24 Washington state. Boundary Dam employed iron workers.
25 At this point to offering this information was that the

1 only home I had ever known from Pierce, South Dakota,
2 and the thought of moving from there to Washington was
3 frightening to me. But the first thing is saying
4 goodbye to my grandma, grandpa, my dad's parents. It
5 just felt wrong. My mom was a telephone worker. She
6 was able to transfer to Spokane, Washington, and,
7 retired. There were a few relatives living in Spokane,
8 so they were the only people I knew, but because of the
9 distance, we were not real acquainted. The reality of
10 relocation affects everyone obviously, but at age 10, it
11 affected me. I was very aware that I was lagging behind
12 from the other students being integrated, but socially
13 and academically, the population in South Dakota is
14 3,000. The population in Spokane was 240,000. The
15 surrounding area was around 400,000 people. My two
16 older sisters seemed fine. My younger brother, five,
17 adapted, obviously, but I struggled for a home, leaving
18 friends behind was not a good time for me, but that's
19 life. Part two, I'm here tonight because obviously I
20 survived the trials and tribulations, got better, as
21 years past. In 1972 I met Shelly, my wife of
22 thirty-nine years who's here tonight. Together we raised
23 three sons, and now five grandchildren. On April 1st,
24 1974, I began working for a Spokane plant, which was the
25 Wenatchee plant was built in '41. It was one of several

1 plants built by the government during World War II to
2 support the efforts. After the government, fearing
3 Alcoa may not be sustainable was relieved when
4 eventually Kaiser bought the plant in 1946. Which at
5 one time in the 60's, the plant employed full time
6 employees, I specifically remember my shift at the
7 plant, graveyard, of course, and my first thought was
8 what have I got myself in to. The plant was hard too,
9 and I think I just begged them in to hiring me. And
10 since I had to need this job and contact lenses were not
11 allowed at the time, and contact lenses is what I had
12 worn for years, and prior to trying to get a job at
13 Kaiser, when my time came for an exam, knowing I
14 couldn't see it, I memorized the 20/20 line when the
15 nurse was out of the room. When she came back in, she
16 asked me to read the eye chart. She pointed to the
17 20/20 line and asked me to read it backwards. It took me
18 a while to running back and forth in my mind. Something
19 I couldn't do now. Without going in to too much detail,
20 the years went by, the work was hard, my sons grew up
21 and prospered. We have a very nice home, shopping is a
22 few blocks, friends and families were a few blocks, and
23 I had some success at Kaiser, working several
24 compartments in the plant. Spent a little time as GF,
25 spent some time working in on special projects, and our

1 foreseeable future at the time was generally sunny and
2 bright. Relative to this evening's discussion is that
3 even if a person working at an aluminum reduction
4 facility is not directly related to the topic of energy
5 use, my experience is that you can't work there very
6 long before you are made aware of the importance of
7 operating efficiency to keep costs as low as possible,
8 and such as the case at Kaiser, where we had a friendly
9 competition between the hotlines to achieve the best
10 numbers every month. Part three, and last. During
11 early 2000 rumors were abounding regarding a potential
12 cost of power in the future. The drought and power
13 plant in California, Kieser's contract with the EPA, a
14 power company called Enron that we later learned was
15 manipulating the entire power situation in California
16 and these on the entire weeks and months, those of us
17 with our nose to the grindstone who trusted the
18 leadership of our company to look out for the big
19 details, like power, were stunned or shocked to hear
20 that Kaiser intended to take down their plant and sell
21 the power grid, which would go to northern California
22 for enormous profits. It was Kaiser had decided to keep
23 the plant, and work through expensive costs. Twelve
24 hundred Spokaneites, and 1200 families suddenly found
25 themselves without a job. Three-hundred fifty

1 employees of the Kaiser Tacoma plant faced same crisis.
2 \$370 million annually was forced from the economy.
3 Richard Heard stated and people wondered when we would
4 close and Keith Forsyth, former Kaiser vice president
5 says that the smelter got too hard once the energy
6 market went goofy. The annual tax bill was
7 non-existent. I was one of the handful of people who
8 didn't immediately lose their job, and, we stayed for
9 trespassers, and watched for the plant for the restart
10 which we thought was coming. We all felt sure that the
11 plant was, at the time it shut down, was running at the
12 highest efficiency ever, and with the lowest number of
13 employees, and, the hotline options. Restarting the
14 plant was not to be. We meaning Shelly and I didn't
15 realize immediately that all our hopes and dreams for
16 the future we'd envisioned were gone. For our part, we
17 envisioned being close to our sons and helping raise our
18 grandchildren, which we were sure was going to start
19 arriving soon. Being there for graduations from
20 kindergarten, elementary school, high school, birthdays,
21 broken arms, and, trips to the ball games, movies, sleep
22 overs, and on and on. However, on December 14, 2001, I
23 also found myself unemployed, and needing a skill set,
24 regarding, that smelting is not immediately
25 transferrable to life outside the plant. Some were

1 transferable. I was fortunate to receive a six-month
2 separation, and, not everyone was as fortunate as I was.
3 Anyway, I spent most of 2002 looking for work, and,
4 after Keiser I had no success. Our child, grandchild
5 Gracie was born December 27, 2002, and Shelly's and our
6 youngest son Noah, were lucky to be standing outside the
7 room, and would have fallen in the door if it had
8 opened, and heard her first cry. And at that point,
9 life took a positive spin. Before Keiser I worked with
10 Roger Peaker and Greg Lester, both Kaiser employees who
11 were already working. I met with Tim William and Greg
12 Kingston and I received a job offer. Shelly and I had
13 desperately hoped to stay in Spokane giving me the
14 ability to turn down the job offer in Missouri and stay
15 where we felt we belonged. But it was not to be. I
16 can tell you honestly that we had many, many,
17 discussions about our future, and we both shed many
18 tears. Children move away from their parents, parents
19 moving away from the children was something else. As
20 the weeks went by, it became apparent that moving to
21 Noranda is the best option. I agreed to working for
22 Noranda in March, of 2003. I left Spokane on February
23 28. Shelly did not come initially. She prepared to stay
24 with our household and preparing to move. The hardest
25 thing I've ever done in my life is get in my vehicle in

1 Spokane that morning. We both knew that nothing would
2 ever be the same and not even close to the future we
3 envisioned. I remember calling Shelly distraught, in
4 the hopes that she would tell me to turn around. She
5 was strong enough for the both of us. Incidentally,
6 our second grandchild was born when I was 30 miles south
7 of Sioux Falls when I was driving to Noranda. Again, my
8 story is not unique in this room, and, is not unique to
9 the 350 Kaiser employees. Make no mistake, I do feel
10 lucky to have my job at Noranda. Since we've been here,
11 we've met what we consider to be the nicest people on
12 the planet. The problem is sisters, brothers, cousins,
13 uncles, aunts, mothers, brothers, fathers, and exactly
14 the way we left, when we drive to Sikeston, I hope and
15 pray that none of them will be here tonight having
16 experienced what Shelly and I have. Because it never
17 goes away. And as a last point, I am certain that I am
18 not fully apprised of all the detail. I'm equally
19 certain as you are, when people were gainfully employed,
20 and long-term employees are a very special and
21 increasingly rare treasure. I want to share our story,
22 what would happen to one family when a huge industrial
23 plant shuts down and share that our story here today is
24 one that you see in the future come to pass as exactly a
25 vision. Thank you.

1 COMMISSIONER STOLL: Thank you for your
2 testimony.

3 MICHAEL NEWMAN: You're welcome.

4 JUDGE WOODRUFF: Fred Helton.

5 FRED HELTON: Good evening.

6 JUDGE WOODRUFF: Please raise your right
7 hand.

8 (Speaker is sworn by Chief Woodruff.)

9 JUDGE WOODRUFF: State your name.

10 FRED HELTON: My name is Fred W. Helton.

11 JUDGE WOODRUFF: What would you like to tell
12 us?

13 FRED HELTON: Sir, good evening. My name is
14 Fred W. Helton, and I'm the medical product supervisor
15 at Noranda. Six hundred thirty-five miles ago, at a
16 year and a half ago, I leave a Ormet Aluminum in
17 Hannibal, Ohio I never ever thought that I'd have to
18 leave Ormet Aluminum. My hometown. You see I'm a
19 retired Master Sergeant of United States Army. I
20 traveled all over this world. I'm a father of three
21 beautiful daughters, two grandchildren, and a husband of
22 my beautiful wife, Cynthia. But most of all, at this
23 point in my life, I'm a member of the Noranda team.
24 The position that I was forced to take over a year ago
25 due to the very thing that we are here to talk about

1 tonight, electricity. I would like to read a letter
2 dated April of 2013, from the CEO and president at
3 Ormet, Mike Tanjac. For immediate release October 4th,
4 2013, full contentment of hand over operations in
5 Hannibal, Ohio, second the Public Utility Commission of
6 Ohio deny the majority of Ormet's request for energy
7 transition plant that would allow the operation while
8 constructing an on-site natural gas based power
9 generated natural facility, due to this possession,
10 Ormet cannot emerge from bankruptcy and must immediately
11 shut down operations. Ormet's estimates that an
12 additional six hundred people will lose their job at
13 this time. That was on top of the three hundred that
14 had already lost their jobs. The members of your team
15 here today hold the hands and the lives of nine hundred
16 people standing behind me. Employees like Jerry
17 Pendergrass, Floyd Pendergrass, James Sutton, Bobby
18 Smith, Tim Onus, Thomas McGee, Mitch Sheeter, LaDawn
19 Hill, John Dixon, Jerry Moody, and many, many more of
20 women and men that have worked hard at Noranda, long
21 before I came around and hopefully long after I'm gone.
22 Not to mention you have an impact on their lives, but
23 impact what would happen to our local communities here,
24 i.e. the taxes that help pay for the schools, the lack
25 of the buying of the product in the local stores, crime

1 rate increase, and how many people would have to move
2 out of this area to go seek employment somewhere else.
3 I came here a year and a half ago. I don't want to have
4 to leave again in another year and a half to go seek
5 employment someplace else. You see, back in the Ohio
6 Valley a lot of people are still without work. Some
7 have moved to the gas and the oil field, it's booming
8 back there. Some truck drivers. Some are still
9 fighting for unemployment. Some are going to school,
10 and, even some are on welfare as we speak. But, see,
11 here in this region it's different. There is no gas
12 and oil. Most of southeast Missouri's farmlands,
13 there's no other big industries like Noranda that will
14 employ nine hundred employees. So we ask you at this
15 time not to allow Noranda to come the next Ormet.
16 Which by the way is going to be scrapped out after
17 fifty-five years of employment in the United States of
18 America. Please don't allow the parking lots of Noranda
19 to become an empty lot like I see when I go back home.
20 Please allow the 900 hard working people, yes, I've said
21 people, because every one of them are, with families to
22 stay right here and keep working. Keep working at
23 Noranda. Give 'em the break that's needed. We talk
24 about 10 percent here, 10 percent there. The company
25 didn't give us a break, \$38 million profit, the first

1 quarter 2014. Why do you need to make that much money?
2 Give that a break that is needed for Noranda to stay
3 here. And let's not look back and say what if, what
4 if, what if we had done this. A time years ago when to
5 cry, and the cry was this, we are Marshall. Today, I
6 stand here and I tell you we are Noranda. Thank you,
7 sir.

8 JUDGE WOODRUFF: Any questions?

9 COMMISSIONER STOLL: Sir, thank you for your
10 testimony. We appreciate it.

11 COMMISSIONER HALL: Thank you for your
12 testimony.

13 JUDGE WOODRUFF: The next name on the list is
14 Dennis Epstein.

15 Good evening, Mr. Epstein.

16 Please raise your right hand.

17 (Speaker is sworn by Judge Woodruff.)

18 JUDGE WOODRUFF: And, can you tell us your
19 name?

20 DENNIS EPSTEIN: Dennis Epstein. Very
21 common name. I'm very short and sweet. Just have two
22 cards. I've worked at Noranda Aluminum since May of
23 1978. Thirty-six years has provided for me and my
24 family. Live comfortable all those years. I've
25 appreciated the time that I spent there. My story is

1 to shed a little bit different light on things, kind of
2 like Don Moore did earlier. He works for Stewart Steel.
3 My stepson is handicapped, mentally handicapped, and he
4 works at a place called the Community Sheltered
5 Workshop. They make wood products that Noranda
6 purchases, pallets, wood strips. He's very proud of his
7 job. They employ over a hundred disabled kids up
8 there. I went there today, as a matter of fact, and had
9 lunch with him and saw him, and I guess I could have
10 brought him here to where he could be up here with me
11 tonight, but, it's, I guess what my fear is, if Noranda
12 Aluminum closes, it would be heartbreaks, but it will
13 also extend a lot further than just these people in this
14 room. It would extend to so many lives would be
15 affected by it, so, please, please, do what you can to
16 help keep us open. Thank you.

17 COMMISSIONER STOLL: No questions, but, once
18 again, I want to thank you for your testimony.

19 DENNIS EPSTEIN: Thank you.

20 JUDGE WOODRUFF: The next name on the list is
21 John Gies.

22 Good evening, sir.

23 And, raise your right hand.

24 (Speaker is sworn by Judge Woodruff.)

25 JUDGE WOODRUFF: And if you could, spell your

1 name to the court reporter and spell it for her.

2 JOHN GIES: My name is John Gies, G-I-E-S.

3 JUDGE WOODRUFF: Thank you.

4 JOHN GIES: I stand before you today as
5 foreman of the power grid for Noranda and the local work
6 force, this is for local Missouri jobs as well as
7 American jobs and product. I come from the northwest
8 where I spent over 30 years working in two different
9 smelters. Which, one, at one time, Oregon, Montana
10 working in the third key operating smelter, now there's
11 two. Of the thirteen, ten of the smelters' building
12 equipment has been torn down and sold for scrap,
13 probably sold to China. I worked at a smelter for
14 Alcoa-Tennessee that was shut down because of the high
15 power rates. That smelter is one of the newest, most
16 modern in the United States, and, now that electric, and
17 now that the electric rates for all the rest of the
18 usage in that area have gone up because Alcoa no longer
19 pays large utility every month to help support Big River
20 Power grid. In the northwest, that power was picked up
21 by California but they've even closed. Ten thousand
22 unemployed workers that have to find other work if they
23 could. Noranda employees are good strong employees,
24 offering good American working wage jobs. Not only
25 here, but the Noranda dollars are spent wide across

1 America. I think there are more than 1,000 trucks a
2 month that bring in product from the plant every month.
3 For every Noranda dollar earned, it's local business
4 benefits as well as strong tax base for local and state
5 and federal government. China is one of the very few
6 countries building new smelters and continues to operate
7 environmentally solid smelters, and these are all
8 strongly supported by the China government that would
9 very much like to control the world aluminum market. It
10 would be a very sorry and sad time for America to have
11 to buy China aluminum as we now buy much of our goods
12 made in China factories. America and Missouri need
13 these jobs, and I strongly support a lower and low power
14 rate for Noranda.

15 JUDGE WOODRUFF: Thank you.

16 COMMISSIONER STOLL: Thank you, sir, for your
17 testimony.

18 JUDGE WOODRUFF: Stan Ivie.

19 Good evening. Please raise your right
20 hand.

21 (Speaker is sworn by Judge Woodruff.)

22 STAN IVIE: Stan Ivie. I-V-I-E. Thank
23 you for the opportunity to speak tonight. I'm the
24 president of the United Steel Workers 7686 at the
25 Noranda plant. We've got close to nine hundred steel

1 workers there. Noranda is the largest employer in the
2 Bootheel that provides family sustaining jobs for over
3 nine hundred families. It has survived markets and many
4 other challenges in the past forty years of operation.
5 It has offered economic security in the Bootheel of
6 Missouri. It's no secret by most measures our little
7 corner of the state is poor. Poverty is everywhere you
8 look, which leads to significant other problems like
9 crime. All of you know our jobs are more than just
10 putting food on the table. They provide a tax base,
11 good schools for our children, safe communities to live
12 in, and the ability to have the American dream. Jobs
13 like these make Missouri a better place to live. If
14 Noranda goes out of business, it will be a broad impact.
15 Power customers see higher bills, schools, and local
16 government struggles from reduced taxes. Over nine
17 hundred workers would face unemployment. Other jobs
18 that depend on Noranda would also be in trouble. We
19 don't need more jobs going overseas. From the nine
20 other smelters in the United States, Noranda pays the
21 second highest electric rate. This is also one of the
22 two smelters in the country not currently receiving some
23 of the economic support for power costs. Our union has
24 seen an impact with the aluminum jobs firsthand.
25 Recently one of the power companies refused to lower

1 their rates, that decision left a thousand steel workers
2 out of jobs. We are seeing the situation arise in
3 other parts of the country. We cannot allow the same
4 outcome for these nine hundred workers. We need your
5 help. Ameren has raised more than \$494 million since
6 2009, according to the testimony filed with the PSC.
7 These are over earnings. For the Missouri businesses
8 and residents, Ameren has raised rates by 46 percent
9 over the past six years, has allowed a return of nearly
10 10 percent. Unfortunately, Missouri's large economy
11 can't make up the ability by covering these costs with
12 Ameren having earned \$100 million more than authorized.
13 This is just one example of how Noranda is saving
14 residents money every month of rates. I would ask to
15 hold the commission accountable after lower earnings and
16 lower rate. Thank you for your time and we need your
17 help.

18 COMMISSIONER STOLL: Thank you for your
19 testimony, sir.

20 JUDGE WOODRUFF: Dallas Snider.

21 Good evening. Please raise your right
22 hand.

23 (Speaker is sworn by Judge Woodruff.)

24 JUDGE WOODRUFF: Can you tell us your name?

25 DALLAS SNIDER: Dallas Snider. S-N-I-D-E-R.

1 JUDGE WOODRUFF: Thank you. What you would
2 like to tell us?

3 DALLAS SNIDER: All right, I've been at
4 Noranda for twenty-eight years. I'm a chief steward
5 with the coal workers. I live three miles from where I
6 was born in the community. I've got two and three
7 generations that I've worked with over the years. I'm
8 not gonna sit up here and repeat a lot of this stuff and
9 I know you've appreciated, it's done been said, but one
10 thing left out is another 66 million that we buy goods
11 yearly in this community, that the jobs will be lost
12 over what these other employees was told earlier.
13 Seventeen percent of our county taxes comes out of
14 Noranda, so there's jobs will be lost there, bridges,
15 roads, county courthouses, police, and all that. At
16 twenty-eight percent of the school taxes is from there.
17 I've got three kids that's got a super education out of
18 that school district here in New Madrid County. I'd
19 love to see my grandkids have the same thing and all the
20 workers' kids and grandkids. I'm not gonna repeat
21 everything else, I'd just like for you to consider the
22 loss that would be out here in the community, and, all
23 the states, Arkansas, and I want to mention Arkansas,
24 Tennessee, Kentucky, and Illinois has employees that
25 work here too. Please consider what we're asking and be

1 fair with us. Thank you.

2 JUDGE WOODRUFF: Thank you, sir.

3 COMMISSIONER STOLL: Thank you, sir.

4 JUDGE WOODRUFF: Gary Harper.

5 Good evening.

6 GARY HARPER: Good evening.

7 JUDGE WOODRUFF: Please raise your right
8 hand.

9 (Speaker is sworn by Judge Woodruff.)

10 JUDGE WOODRUFF: Please if you could spell
11 your name.

12 GARY HARPER: Gary Harper. Hello. Thank
13 you for letting me talk. Um, I just kind of want to
14 let you know, I'm a single dad who has three children.
15 I have two still living with me. I'm their only means
16 of support. I don't get child support, I don't get
17 government help. Noranda helps me support my kids. If
18 we lose these job, I don't know what we're going to do.
19 There is no other jobs around here, not that pays what
20 we get. And, that's how I raise my kids. And I'm not
21 the only one, there's a lot more out there. So, I'm
22 asking for your help, short and sweet. You already
23 heard all the other suggestions and all that, I'm just
24 asking for your help, please. Thank you.

25 JUDGE WOODRUFF: Thank you, sir.

1 Darren Halter.

2 (Speaker sworn by Judge Woodruff.)

3 JUDGE WOODRUFF: And state your name for the
4 report.

5 DARREN HALTER: Darren Halter. H-A-L-T-E-R.
6 Thank you, and thanks for the opportunity to talk
7 tonight. Like I said, my name is Darren Halter. I'm
8 the director of operations at the Noranda. I've worked
9 at New Madrid for about 20 years now. Other than the
10 time away from college, I've lived in southeast Missouri
11 all my life. I was born and raised here and hopefully
12 continue to work here for a long time. You know, once
13 again, I don't want to repeat everything that everybody
14 said, I think it's well documented the facts and numbers
15 of the case, but I just want to point out to you a few
16 things. The plant has been in southeast Missouri here
17 for forty-five years. We are not, you know, we're not
18 in a business that we can pass on higher costs to
19 consumers. Aluminum is a commodity-based business, so
20 we compete with smelters around the world. The pricing
21 of aluminum is set on the aluminum metal exchange, so we
22 are a global economy. Like I said, we don't have a
23 whole lot of control over the prices we can charge. We
24 have invested capital to try invest to help. The bigger
25 you are, like the power rates, the more power you use,

1 the quantity that you buy, you get a little break in
2 price. So the same things, the more aluminum you make,
3 obviously it distributes your fixed costs, so that's how
4 we've tried to stay competitive. We have received
5 capital to many projects to modernize smelters and we
6 have stayed on an even playing field with most smelters
7 in the U.S. We have other opportunities, but we can't
8 afford to improve those opportunities because of the
9 cash strap. And we have run out of ways to cut that
10 raising cost. We've worked to, like I said, improve
11 our commissions. We've even had to take drastic steps
12 to reduce our work force. We don't want a handout, we
13 just want a level playing field with our competitors.
14 In closing, you've heard from all types of people
15 tonight that depend on this smelter to operate. You've
16 heard from union representative workers, some of those
17 multi-generational, people that work in the plant.
18 You've heard from local people that have worked in the
19 plant and managed part of the works in the plant.
20 You've heard from management personnel that have come
21 from other closed plants and had to relocate to their
22 places of expertise. You've heard from local vendors
23 and emergency personnel that would be devastated if the
24 plant closed. And unlike some other areas in the
25 country, there are not opportunity to make up for lost

1 wages if something happened to the plant. And like I
2 stated earlier, nobody likes the thought of higher power
3 rates. If Noranda were shut down, rates were gonna go
4 up, no matter what. Thank you for the opportunity.

5 JUDGE WOODRUFF: Thank you.

6 COMMISSIONER STOLL: Thank you.

7 JUDGE WOODRUFF: Michelle Fayette.

8 Raise your right hand.

9 (Speaker is sworn by Judge Woodruff.)

10 MICHELLE FAYETTE: My name is Michelle
11 Fayette, F-A-Y-E-T-T-E. I'm gonna talk about something
12 a little bit different tonight. I'm the Director of the
13 Kenny Rogers Children's Center. We're a small
14 non-profit that has been around for forty years. During
15 that time we have provided physical, occupational, and
16 special therapy to children all throughout southeast,
17 Missouri, and we have never charged any family for any
18 of the services that they've received. I'm gonna ask
19 everybody in the room here tonight if you have a family
20 members or if you know someone who has been treated at
21 the Kenny Rogers Children's Center during your lifetime,
22 please raise your hand. Some of the families that have
23 been here tonight, have talked about, I recognize some
24 of those names, some of the kids that we treat. A year
25 ago, actually, two, in '11, we finished a million

1 dollars, we completed a million dollar expansion. We
2 currently have 17,000 square feet that enabled us to go
3 from 13 full-time employees, therapists, we actually
4 have 25 full-time employees, to 20 full-time therapists.
5 At that time, we were able to treat about five hundred
6 kids in southeast Missouri. They've already talked
7 tonight about some of the impoverishment that we see
8 there, and a lot of times we have kids with these
9 special needs, need immediate attention, specialized
10 equipment. So a lot of times when you get to southeast
11 Missouri and you go by the way, you need, physical,
12 occupational, and special therapy, at some point
13 something has to give, so we're very proud of the fact
14 that we've been able to provide this as much as for
15 another 40 years, and, again, we've never charged a
16 family. Just to give you an idea of how much support
17 we get from Noranda, our biggest fundraiser is every
18 year in March. This year we went over the hundred
19 thousand dollars. Noranda combined with the steel works
20 and payroll deduction, Noranda's donation was \$40,000.
21 So, once again, we're looking at that all important 10
22 percent figure which is very important. Just to give
23 you an idea, just in the last eight years, just from
24 payroll deduction from the steel workers, we have
25 received over \$74,000. Noranda Aluminum's annual

1 deductions, and, again, this is just in the last eight
2 years is over \$200,000, and, with the, the steel works
3 union had \$3,000 donation, that's \$27,000, so that is
4 \$302,000. That's just Noranda. We talked tonight
5 about all these nine hundred workers and their families
6 that if they lost their jobs, how, that would impact the
7 community and the area, so that would continue onto us,
8 and even though Noranda is a major supporter, all of
9 these families are major supporters as well. You see a
10 man that ended up tonight, he was an alderman in the
11 town of Portageville, he's gone, it's a very small town,
12 just the town of the Portageville has several families
13 that we treat at the center. These families raise on
14 their own, individually, we have little different ways
15 that families can raise money, individually raised 10 to
16 15 thousand per family. Just this past year, the town
17 of Portageville has raised over \$50,000. That's very
18 substantial. The majority of the kids that we treat
19 come from Scott, Mississippi, and New Madrid County,
20 which is also the majority of our donor base. So if
21 Noranda Aluminum went away, I mean, we're very proud of
22 the amount that we've grown in the last for years that
23 we've been able to continue to provide this service, but
24 without Noranda here, it, it could potentially be very
25 devastating for our children as well here in southeast

1 Missouri. Thank you.

2 COMMISSIONER STOLL: Thank you for your
3 testimony, ma'am.

4 JUDGE WOODRUFF: Jim Atchison.

5 Good evening. Please raise your right hand.

6 (Speaker is sworn by Judge Woodruff.)

7 JUDGE WOODRUFF: Thank you. And if you could
8 state your name for the court reporter.

9 JIM ATCHISON: I'm Jim Atchison. I'm the
10 presiding commissioner of Pemiscot County. Thank you
11 very much, gentlemen, for being here tonight. We
12 especially appreciate you holding this hearing in
13 Pemiscot County. I hope everyone that's here spends a
14 lot of money while they're here tonight. There is no,
15 no possible way that I could say to you gentlemen
16 tonight any statement that has not already been
17 provided. I just want to, I guess, perhaps very
18 briefly restate a couple of points that have been made.
19 And, first, my colleague from our Pemiscot County
20 courthouse, our collector Dr. Terry Swinger acknowledged
21 that, the tremendous service of Ameren Missouri had we
22 have had disasters here in the community, and,
23 certainly, they are, their attention to our needs were
24 most appreciated. But, I must say to you tonight that
25 the survival of New Madrid, of the Noranda plant at New

1 Madrid is critically important to the economy of this
2 area. But, the survival of that company is urgent,
3 and, that's been said over and over tonight. But, I
4 want to also mention that as presiding commissioner of
5 this county, I represent the residents that,
6 unfortunately, have the distinction of being the
7 residence of the poorest county in our state, and,
8 unfortunately many other measurements that apply to the
9 residents of our county are not good. And, the point
10 that I want to make that in information prepared by your
11 staff, the point was made that if, if Noranda was lost
12 as a customer to Ameren, that other Ameren Missouri
13 customers' rates would have to increase by 10 to \$20
14 million a year. Our residents are already the poorest
15 in the state, and we absolutely cannot afford to pay
16 higher utility rates that we are already paying. So, I
17 think that the urgency of assuring that Noranda stays in
18 business is two fold. It's certainly important for the
19 economy of the area. It's important for the nine
20 hundred employees and their families who are employed
21 there. But it's also important that no action comes
22 about that causes all of the other residents of the
23 area, or the, the Ameren customers of the area to have
24 to pay higher utility rates. So, thank you very much
25 for your consideration. Thank you for being here

1 tonight.

2 COMMISSIONER STOLL: I just want to thank you
3 again for your comments this evening. And, I'll fill
4 up my tank before I leave town.

5 JIM ATCHISON: Absolutely, thank you,
6 appreciate that. I hope all of the rest of you do
7 also.

8 JUDGE WOODRUFF: Herman Stiles. Herman
9 Stiles? Jimmy Jones? Peggy, and is it, Barnes?
10 Cameron Redd?

11 Good evening.

12 CAMERON REDD: Good evening.

13 (Speaker is sworn by Judge Woodruff.)

14 JUDGE WOODRUFF: Thank you, and could you
15 tell the court reporter your name?

16 CAMERON REDD: My name is Cameron Redd,
17 R-E-D-D. Um, first I'd like to apologize all my talking
18 points were taken up, and, y'all have heard all of the
19 facts forwards and backwards. What you've had described
20 to you is like a black hole. We hear of all the bad
21 things that are going to happen here and it just
22 implodes on itself. The tax base goes down, on and on
23 and on, the infrastructure, you know how all of this
24 works. The good news is you being here and the
25 Commission have the power to save this community. It

1 rests with you. I grew up very poor. I don't want my
2 daughter in no poverty. I don't want to tell the
3 children in here to be more impoverished than me.
4 Thank you.

5 JUDGE WOODRUFF: Thank you, sir.

6 COMMISSIONER STOLL: I just want to thank you
7 for your testimony. I know it's emotional for you and
8 I appreciate you getting up and testifying.

9 CAMERON REDD: Thank you for being here.

10 JUDGE WOODRUFF: Thank you, sir.

11 Jeff Shawn.

12 Good evening, sir.

13 (Speaker is sworn by Judge Woodruff.)

14 JUDGE WOODRUFF: Could you speak your name?

15 JEFF SHAWN: Jeff Shawn, S-H-A-W-N.

16 Gentlemen, thank you for giving me a few moments to
17 speak. A lot of what you've heard tonight has been
18 heart wrenching and is emotional. And I'm doubly noble
19 to be up here before you after hearing the testimony of
20 these folks who are so directly affected by this. So,
21 really I could just say well what they said, and be
22 done. I'd like to offer a couple of things. First of
23 all, I'm not an elected official but I am a county
24 official from Butler County, so I traveled 65, 70 miles
25 to be here to appear this evening, and, I just want to

1 reflect that the effect of what would happen if Noranda
2 closed would be far reaching. Obviously it would be
3 devastating to this community, but I'm telling you, and
4 nearby Butler County, Poplar Bluff, where we have a much
5 larger economy, and it's the largest county south of
6 Cape County, in southeast Missouri, we would be deeply
7 affected by this. And, so, I don't think, I'm not an
8 economist, but I don't think that it would be far
9 reaching to say that would be something that would be
10 felt throughout the entire state. I'm a fourth
11 generation Missourian. George Washington Shawn and
12 Newman Shawn and came from Ohio in the 1800's and
13 settled in Stoddard County. My uncle was the town
14 barber in a little town in Dunklin County. My aunt was
15 a teacher in Senath in Dunklin County, so I have a lot
16 of roots in this part of the county. I've been amazed
17 at some of the testimony from Mr. Priggel and Mr. Halter
18 from the perspective of things that Noranda has done to
19 try to remain profitable. And, everything I was
20 thinking as I was driving over there it seems that
21 Noranda was extremely smart and extremely wise in the
22 selection of the location of this plant. It being on
23 the Mississippi River, it being, you know, in the middle
24 of the United States. It being near the interstate.
25 There was just a lot of foresight, but, I was then

1 amazed when we were talking about the innovation when we
2 were describing them, I still didn't really understand
3 them. But, I think, and by the way, I haven't talked
4 to anyone from Noranda. I don't think that I personally
5 know anyone that works for Noranda, but having lived
6 thirty-three of my fifty-eight years in southeast
7 Missouri, I think I understand something about folks in
8 this part of the country, and it's my belief based on a
9 lifetime of experience, that, if you talk to the Noranda
10 executives, I think they would tell you that one of the,
11 one of the remarkable resources is the productivity of
12 the people that work for them here. I believe that
13 that's one of their biggest edges, and so here we are in
14 a global economy, and you know, I recently heard about
15 one of our plants that left over in Butler County to go
16 to Mexico and the reason was the workers there are going
17 to get \$3 an hour, and it was a business decision. And
18 I don't resent them for making that decision, so I look
19 at Noranda in looking at how they remain, try to remain
20 competitive in a global economy where so many industries
21 are leaving our economy and going overseas and leaving
22 Americans destitute, and I think about what an economic
23 black hole it would be here. It would just be a darn
24 shame that they would have invested years in innovation,
25 years of people working hard to be productive so they

1 can compete for a better wage and a better benefit to be
2 driven out of the business because of, from what I
3 understand, nearly a third of all the production costs
4 of Noranda is simply power. I just think it would be
5 and incredible shame if that one element would be the
6 thing that would get them. Everything that they've
7 fought and proceeded to do to try to survive, and then
8 they're just driven out as a result of this. I have to
9 say, I admire you folks for, for the awesome
10 responsibility you have. To take this on, to make
11 decisions that are so far reaching, and I want you to
12 know that I admire you for that. I appreciate you, and
13 I depend upon you to be wise and fair. And I want to
14 thank you for being willing to shoulder that
15 responsibility. It's truly awesome. So that's all my
16 comments. Thank you.

17 JUDGE WOODRUFF: Thank you.

18 COMMISSIONER STOLL: Thank you for your
19 testimony, sir.

20 JUDGE WOODRUFF: Tim Aslin.

21 Good evening.

22 TIM ASLIN: Good evening.

23 JUDGE WOODRUFF: Please raise your right
24 hand.

25 (Speaker is sworn by Judge Woodruff.)

1 JUDGE WOODRUFF: Please state your name for
2 the record.

3 TIM ASLIN: Tim Aslin, A-S-L-I-N. I'm the
4 president of the Board of Alderman in Dexter, Missouri.
5 And, I'm not as eloquent as some of the speakers here
6 tonight, so I'm going to try to make up for that by
7 being brief. I have served over 16 years in municipal
8 government. We also share in Noranda's success or
9 failure in the city of Dexter. We have over
10 twenty-seven employees that live in our city. Over
11 fifty-eight in the county of Stoddard, where Dexter is
12 situated. Using the generally accepted number of the
13 five times everything multiplier economic effect, we're
14 looking at over \$16 million annually in our county
15 directly attributable to Noranda given that we're over
16 an hour away. I think that's pretty significant.
17 Again, I don't have a lot of numbers, and, things that
18 dazzle you with, most of those are already been brought
19 out by others that are much more knowledge and, but the
20 city of Dexter would be impacted negatively by Noranda's
21 closure. We urge you to consider in approving their
22 request. And, gentlemen, that's all we have.

23 JUDGE WOODRUFF: Thank you.

24 COMMISSIONER STOLL: Thank you for your
25 testimony.

1 JUDGE WOODRUFF: Mark Baker.

2 Good evening.

3 (Speaker is sworn by Judge Woodruff.)

4 JUDGE WOODRUFF: Please state your name for
5 the court reporter.

6 MARK BAKER: Mark Baker, B-A-K-E-R. Good
7 evening. I'd like to extend my personal appreciation to
8 the Judge, Commissioners, and the staff of the PSC for
9 the opportunity to present my testimony in this matter.
10 I live at 2064 Greenridge Lane in Jackson, Missouri. As
11 a resident of this address, since May of 1998, I have
12 been an Ameren customer for over sixteen years now. My
13 family and I have been able to enjoy many years of
14 electricity in my electric home. With three children
15 that have grown up in my house, we have had many
16 memorable birth date parties, Christmas, and family get
17 togethers. As an Ameren customer just outside the city
18 limits of Jackson, I have seen the investment that
19 Ameren has made in this investment. The line and the
20 substation that I live affects many, it has been
21 upgraded from a small conducted single ways to a large
22 conductor. As many were without power during the ice
23 event of 2008, we lost power on less than 28 hours, but
24 in the larger ice storm, our lights never blinked.
25 Further more, traveling throughout the region throughout

1 the larger ice storm even, Ameren restored to most
2 customers within seven days, while other municipalities
3 required three weeks. The Public Service Commission
4 currently finds itself in a precarious situation. You
5 have been asked to consider the subsidizing a larger
6 consumer operating here in southeast Missouri, of its
7 electric rates by the rest of the power company's
8 customers. This is in sense the decision that you will
9 ultimately be making. No doubt each side will flood you
10 with volumes of documentation in support of their
11 decision, but in the event this is the final decision
12 and I ask you to deliberate very carefully. Before
13 appearing here tonight, I took it upon myself to
14 research the issue so that you might be impressed by my
15 testimony. That's a little joke. I have researched
16 electricity with regard to electrical supplies. What I
17 have learned the general assemblies back in 2003 passed
18 Senate Bill 556, passed by now Governor, and, it was
19 entitled, I want to review just one of the bills
20 tonight. It starts off with being entitled "Electricity
21 for Smelting Facilities." The General Assembly of the
22 state of Missouri as follows, Section 91.03 RSMO is
23 repealed and two new sections enacted in lieu thereof to
24 be known as sections 991.026 and 91.030 to read as
25 follows, and I'll skip down to item number 491026.4.

1 "The aluminum smelting facilities change of supplier
2 shall have no negative financial impact on any past
3 supplier or suppliers or to other electricity consumers
4 of such supplier or suppliers." Oddly enough, upon
5 further examination of 2003 Senate Bill 555, and Section
6 2.63 which states any transaction or contracts pursuant
7 to this section or electric power and energy and
8 delivered services shall not be subject to the
9 jurisdiction of the commission with regard to the
10 determination of rates. Could and may be should lead to
11 the conclusion that this matter is really not provable
12 for the commission, but I would not be so well to
13 suggest. What I do find out is that the situation,
14 this legislation that this provides for back in 2003.
15 The ability for an aluminum smelter, such as Noranda in
16 this action, to go to the open market to purchase power
17 and to do so with no oversight by the PSC. Then eleven
18 years later they come back to the PSC with the claims
19 that it should intervene in forcing Ameren to provide
20 for subsidized rates. I'm no legislator or regulatory
21 scholar, but it seems to me that approach is
22 contradictory in nature. I'm curious in the
23 commissioner's opinion of itself with respect to the
24 issue. I mean, I know you are holding these public
25 hearings, but to what event. Somewhat suggest by doing

1 so, you are promoting a possession of authority over not
2 opening this up, but in some degree and willingness to
3 act in contradiction to the already passed laws
4 addressing this matter. I'll leave that to the workers
5 to sort out. Here's what I do know. As a natural born
6 United States citizen, I've been afforded many wonderful
7 rights and responsibilities throughout my entire life.
8 As a child, I've benefited from the public education
9 system. Graduated from Jackson in 1989, a place I would
10 argue is as good as a school district as any in this
11 state. Hey, you've got to be true to your school. I
12 travel every year on roads that are provided for a tax
13 base in this country and in this state. My children
14 have all enjoyed a regional library as well as the local
15 park system. We enjoy the protection of the local
16 sheriff's department and have previously been watched
17 over by the city police when we resided within the
18 Jackson city limits. All of these resources are
19 provided through tax payer furnishing, of which those in
20 a progressive seat would agree is necessary. I am
21 somewhat more peculiar as I know, as I do not despise
22 paying my share of taxes. I understand what they are
23 used for and the luxuries that they provide. Now you
24 may ask what correlation I draw as they relate to this
25 situation. Here is my complaint. Notwithstanding

1 Noranda's investment and positive impact on the
2 southeast Missouri region with their plant, and with no
3 negative compression, or intention to the good, to make
4 that great people that work there at that plant. There
5 is absolutely no manner in which their request for
6 mandated, subsidized rate from Ameren should be
7 considered. It would provide for a government
8 corrected from customer of one company to a different
9 customer within that same company. Additionally, a
10 precedence of ludicrous and impractical public policy
11 would be set which I believe the PSC should consider
12 carefully. If the Commission finds it's even remotely
13 interested in the idea of allowing such directive which
14 with all do respect I personally believe is beyond the
15 scope of the PSC, you will find yourself in the position
16 of a slough of new and civil requests of such
17 accommodations from any and all residential, commercial
18 and industrial industries from all over this state.
19 Thank you for your time and consideration.

20 COMMISSIONER STOLL: Thank you for taking the
21 time to come out and give your testimony.

22 JUDGE WOODRUFF: We've been going for two
23 hours straight, now, and we've got a court reporter
24 here. For her benefit and our benefit as well, we're
25 going to take about a five-minute break and we'll come

1 back at 8:35.

2 (Break. After concluding, the following was
3 had:)

4 JUDGE WOODRUFF: Come to order, please.

5 The next name on my list is Bill Hampton.

6 (Speaker is sworn by Judge Woodruff.)

7 JUDGE WOODRUFF: Please, and you are Bill
8 Hampton?

9 BILL HAMPTON: Bill Hampton, H-A-M-P-T-O-N.

10 JUDGE WOODRUFF: If everyone in the audience
11 could get quiet, we'll be starting.

12 JUDGE WOODRUFF: Mr. Hampton.

13 BILL HAMPTON: For sixty-six years I've
14 lived, I was born, raised, and lived in Malden, which is
15 approximately 50 miles from here, approximately 25 miles
16 from New Madrid where Noranda is located. In 2000 I
17 became the economic developer, Chamber director there in
18 Malden. At that time we had a plant in Malden called
19 Federal Mogul. That plant employed 330 people. At
20 that time the population of Malden was 5,750. In 2006,
21 Federal Mogul moved across the border to Mexico. Three
22 hundred thirty jobs lost. Population as of today is
23 4,250 people. We've lost 1500 people in a very short
24 time. Naturally all 1500 do not work there, but the
25 cost of business and businesses closing because Federal

1 Mogul is no longer there has displaced population. Our
2 school population has decreased in the last eight years
3 by seventy-seven students. Noranda employs three times
4 the employees that Federal Mogul had. Multiply those
5 figures over a period of time you'll see that migration,
6 the population will disperse in this area. It's been
7 said that \$300 million comes from Noranda that is spent.
8 Being an economic developer, you multiply that \$7 for
9 every one, there's a lot of zeros behind that, 2.1
10 billion, with a B, dollars would be displaced in our
11 area. Be very hard to overcome that. You've already
12 heard the figures, poverty and everything else. We've
13 got good people here, hard working people. They want
14 to work. They want the opportunity to work. Please
15 give them that opportunity. Thank you.

16 JUDGE WOODRUFF: Thank you.

17 COMMISSIONER STOLL: Thank you for your
18 testimony, sir.

19 JUDGE WOODRUFF: Kent Hampton.

20 (Speaker is sworn by Judge Woodruff.)

21 JUDGE WOODRUFF: Please state your name for
22 the court reporter.

23 KENT HAMPTON: Kent Hampton. I'm gonna
24 start out a little bit different than maybe than what
25 we've heard. I want to start back in 1969 when what we

1 call a love bug hit me. And I married that love bug,
2 and, my thought was to start an insurance agency, but by
3 late 1970 my family was growing faster than my agency
4 was. At that point in time there was a decision to be
5 made. There was a new company that had moved in to our
6 area, it's called Noranda Aluminum. I was fortunate
7 enough to be hired by that company, and I remained with
8 this company in different positions for thirty-eight
9 years. That company supported myself, my family,
10 allowed us to live in an area we called home, which you
11 can't put a value on. There wasn't a lot of other
12 industries starting up like that. So I thank the
13 Public Service Commission for being here tonight. We'd
14 like to welcome you back. Thank you for Noranda being
15 here. The good group that has shown up in support of
16 itself. Ameren, as we talk about the amount of power
17 that Noranda uses, let's identify it to the third
18 largest city in the state of Missouri. Springfield,
19 Missouri. We use the same amount of electricity. Now
20 we can agree to disagree, and I won't have to disagree
21 with the thought that Ameren would be better without
22 Noranda, that is a point that I strongly disagree
23 itself. Aluminum product is a highly energy intensive
24 process and unlike other industries cost increases are
25 not passed along to customers because the price of

1 aluminum is set on the London Metal Exchange. So they
2 are competing on a world market. Not a local market,
3 but a world market. And I know through the years that I
4 was there, sometimes they were producing less than what
5 their cost was. And they continue to hold on to the
6 personnel. Why do they do that? They realized the
7 value of the personnel, the greatest asset any and all
8 companies and industries can have on their behalf.
9 Myself and many of my fellow legislators support this
10 competitive rate request because we know the value of
11 keeping nine hundred plus high paying manufacturing
12 jobs. And I'd like to stop there for a minute. We
13 identify the word nine hundred. There's a family that
14 goes with that. And, in most instances there's a wife
15 and probably a couple babies at home. So, when we
16 multiply that, we could be up to 3600 people that are
17 dependent upon this job here and what is in area they
18 call home. In the event that this facility would close,
19 these families would be forced to relocate. The area
20 known of the Bootheel would have sage bush blowing
21 across the streets, and the economic impact would affect
22 small business, because if the dollars are not there to
23 spend, and it's often said that a dollar will turn over
24 seven times within a community where it's spent, if the
25 dollar is not there to be spent, there's not anything

1 you can turn over. So as we've heard earlier and I
2 want to reiterate once again, we're not speaking of the
3 nine plants here in the United States, we're speaking of
4 nine. Nine manufacturing is left in the great USA.
5 We want to continue to make sure that that plant is here
6 at least another hundred years, where the people that
7 are working there now, where their sons and daughters
8 and grandchildren and one thing and another will have
9 the opportunity. It is a very competitive market.
10 Everyone is looking to the U.S. to push their goods
11 through. So, Noranda is competing on a world market.
12 I appreciate the Public Service Commission for getting
13 involved on this rate case. Similar to the old T.V.
14 show Dragnet, and, basically it's them was, just the
15 facts. I thank you for the opportunity to speak before
16 you tonight. A thank you for being here in the
17 community.

18 JUDGE WOODRUFF: Thank you.

19 COMMISSIONER STOLL: Thank you for your
20 testimony, sir.

21 COMMISSIONER HALL: Thank you.

22 JUDGE WOODRUFF: The next name on my list is
23 one whose handwriting is a little questionable. I think
24 it's Amber Kay Miles. Does that sound like anything?
25 No one's coming forward on that. Shelly Keen?

1 (Speaker is sworn by Judge Woodruff.)

2 JUDGE WOODRUFF: State your name for the
3 court reporter.

4 SHELLY KEEN: Shelly Keen. Thank you for
5 the opportunity to speak with you this evening. As I
6 said my name is Shelly Keen and I serve as the State
7 representative for the 145 District which is Bollinger,
8 Madison, and Perry Counties. You might be wondering why
9 I'm here to speak on this issue when Noranda is not
10 located in my legislative district. To add to that, I
11 will offer a little background information. Before
12 being elected, I worked as a legislative assistant for
13 state senator who represented a portion of the Bootheel
14 area. In that role I had my first visit to Noranda. I
15 quickly learned how important Noranda is to the
16 southeast Missouri region. Since that time, I have
17 learned that I have had family members of constituents
18 who work at the New Madrid County facility and was
19 surprised to learn that I even had constituents or at
20 least did a couple years ago who make the long drive
21 because of the good wages and the benefits the plant
22 offers. So I have no problem saying that the jobs at
23 Noranda have a wide impact. They allow people to own
24 homes, support local businesses, pay taxes, and support
25 local charities. Even in my direction, which is

1 located more than an hour and a half from the plant.
2 For many years the legislature has been working on
3 economic development operations, trying to figure out
4 the best ways to maintain and grow the businesses in our
5 state. Obviously this is, this is challenging since we
6 have differing opinions on how to do this. For years
7 legislators have asked businesses what they need to
8 maintain and grow. We have done this with Noranda
9 officials as well, as other businesses that are across
10 our state. Noranda has expressed great concern that
11 increasing electric rates are one of their biggest
12 hurdles as Missouri's largest consumer. Noranda has
13 experienced the largest increase, their electricity cost
14 has increased by \$44 million since 2009 at the New
15 Madrid plant. As debate on this issue has continued, I
16 have learned that Noranda now pays the second highest
17 rates out of the nine U.S. aluminum smelters.
18 Continuous increase in electric rates would cause anyone
19 to look at their business plan and bottom line and
20 determine if they can continue on. Noranda is no
21 different and their management is doing just that.
22 Rate hikes threaten to shut down the Noranda plant, New
23 Madrid County, and its nine hundred good paying jobs,
24 hurting our state's economy, families, and businesses.
25 Some of those families with direct ties to the people I

1 represent. I wholeheartedly believe that if the New
2 Madrid facility were to go out of business, it would be
3 a devastating blow to southeast Missouri. You face
4 tough decisions that affect rate payers all across our
5 state, and I appreciate the opportunity to speak with
6 you this evening. Thank you for your service to the
7 people of Missouri.

8 COMMISSIONER STOLL: Thank you for your
9 testimony, ma'am.

10 JUDGE WOODRUFF: Carolyn McClung.

11 Good evening. Please raise your right hand.

12 (Speaker is sworn by Judge Woodruff.)

13 CAROLYN MCCLUNG: Carolyn McClung.

14 M-C-C-L-U-N-G. I'm the legislative assistant for the
15 representative Holly Raehder. She couldn't be here
16 tonight, but I'm here to give her rendered testimony. I
17 also have a personal interest in this because my dad
18 retired from Noranda in 2008 from almost thirty years
19 there with the job that supported him and my mom and
20 four children. So, I personally support the rate
21 reduction. But, Representative Raehder's testimony is,
22 "I appreciate the opportunity to address the Commission
23 today regarding the importance of Noranda Aluminum in
24 our area. I apologize I could not be there in person,
25 you are most kind to allow rendered testimony. Noranda

1 has been a long-standing employer in southeast Missouri,
2 providing over nine hundred jobs for people all over the
3 Missouri Bootheel. They are one of our largest
4 employers and also one of our largest corporations and
5 charitable contributors to our community as well. In
6 the 2010 census, all counties lost population. In the
7 last four years, counties in my district, Mississippi
8 County and Scott County, have both lost large
9 manufacturing employers. Noranda currently employees
10 many throughout my district. If this smelter were to
11 close, economic impact would be detrimental to an
12 already wounded area. As a business owner myself, I
13 know firsthand the businesses are being faced with the
14 additional burden and regulations everyday. More and
15 more we see our margins shrinking and are faced with
16 decision to continue operating or not. Many are closing
17 but the reward no longer outweighs the risk. In the two
18 years that I have been in the Missouri legislature, I've
19 been witness to many efforts to bring new business to
20 the state. Tax credits and incentives are discussed
21 freely and a necessary means to economic development.
22 However, I propose the best form of economic development
23 is to cultivate and support our long-standing business
24 partners who have been with us for the long haul.
25 Those who have been supporting Missouri and Missourians

1 for the past many years, all, while being proud
2 corporate sponsors in our community, Noranda Aluminum is
3 such a place. They've never been promised a regular
4 return, they have remained in operation through good and
5 poor economic years. I hope we stay a long-committed,
6 strong manufacturer in southeast Missouri." Thank you
7 again for the opportunity to speak before your
8 commission today. So thank you.

9 JUDGE WOODRUFF: Thank you.

10 COMMISSIONER STOLL: Thank you for your
11 testimony.

12 JUDGE WOODRUFF: The next name on the list is
13 one I'm gonna have to guess at, Virginia Stribble,
14 Stuble, does that sound familiar to anyone? Okay, I'll
15 add also that at the end of the list, I'll give you a
16 chance to anybody who decided later on that they want to
17 testify, I'll give them a chance, so, if I did mangle
18 your name you'll still have an opportunity. Hampton
19 Donald. Okay, Paula Deprow, Deprow. That's the list.
20 The list I have here.

21 Is there anybody else who would like to give
22 testimony come on down.

23 JUDGE WOODRUFF: Good evening, sir.

24 (Speaker is sworn by Judge Woodruff.)

25 JUDGE WOODRUFF: And could you tell us your

1 name.

2 RAY MURPHY: My name is Ray Murphy,

3 M-U-R-P-H-Y. It might have been my name that you had

4 trouble reading. I don't want to pick a lot of what

5 has already been said, just the fact that I've been at

6 this plant since 1979. I've seen the changes that this

7 company has invested in to keep us a viable, productive

8 operation. The aluminum industry in this country is a

9 dying breed, and it's directly tied to the cost of

10 power. Third world countries, China, even smelters in

11 Dubai, the foreign countries are all subsidized to the

12 point where the power cost them virtually nothing.

13 Ameren UE represents the fact that their costs are

14 constantly going up. Well that also happened at Noranda

15 also too. We have the same EPA environmental

16 regulations that has to be met, safety issues, and all

17 other issues that all big industries in this country

18 face. This nation has gone through some hard times

19 over recent years, and, if you look at the national

20 unemployment rate, it's still got a long ways to go.

21 The effect that the closure of this plant would have on

22 this part of the country, and in my personal opinion

23 I'd be looking at what would have happened to the auto

24 industry nation wide comparatively to this small

25 region. I don't envy you gentlemen for the decision

1 you have to make, but I think it is in the right place
2 for that decision to be made by the Public Service
3 Commission. And that's the end of my statement.
4 Thank you.

5 JUDGE WOODRUFF: Thank you.

6 COMMISSIONER STOLL: Thank you for your
7 testimony, sir.

8 RAY MURPHY: Yes, sir.

9 JUDGE WOODRUFF: Anyone else would like to
10 testify? Anybody else coming forward.

11 Commissioner Stoll, any final comments?

12 Anyone?

13 COMMISSIONER STOLL: No, I just want to thank
14 you for coming out, and, I know Commissioner Hall would
15 like to say a little bit, and, I'd just leave it at
16 that.

17 COMMISSIONER HALL: It's been a long night,
18 it's been a long night, but I think it's been I very
19 worth while night. I think we've heard a lot of moving,
20 emotional, well-read testimony. We very much
21 appreciate you taking the time to share your
22 experiences with us, and we will certainly take in to
23 account when we render a decision in this matter.

24 Thank you.

25 JUDGE WOODRUFF: All right, thank y'all very

1 much for coming. Meeting adjourned.

2 (Meeting adjourned at 8:56 p.m.)

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1	INDEX	
2	NAME	PAGE
3	Doug Liable	6
4	Terry Swinger	10
5	Don Moore	15
6	Russell Oliver	19
7	Vincent Berry	27
8	Neil Priggel	30
9	Michael Newman	38
10	Fred Helton	46
11	Dennis Epstein	49
12	John Gies	50
13	Stan Ivie	52
14	Dallas Snider	54
15	Gary Harper	56
16	Darren Halter	57
17	Michelle Fayette	59
18	Jim Atchison	62
19	Cameron Redd	64
20	Jeff Shawn	65
21	Tim Aslin	68
22	Mark Baker	70
23	Bill Hampton	75
24	Kent Hampton	76
25	Shelly Keen	80

1	NAME	PAGE
2	Carolyn McClung	82
3	Ray Murphy	84

* * * * *

EXHIBITS

	MARKED	RECEIVED
10	Exhibit No. 1 - Letter	27 27

* * * * *

1
2
3
4
5
6
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CERTIFICATE OF REPORTER

I, Jill Crowder, a Certified Court Reporter (NO
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/s/ Jill Crowder

Jill Crowder

A	<p>admire 14:21 68:9,12</p> <p>admit 27:5</p> <p>advance 31:11</p> <p>advancements 35:7</p> <p>advised 9:10</p> <p>affect 78:21 82:4</p> <p>afford 36:23 58:8 63:15</p> <p>affordability 7:19</p> <p>affordable 7:18</p> <p>afforded 73:6</p> <p>age 40:10</p> <p>agency 77:2,3</p> <p>ago 4:3 7:13 46:15,16,24 48:3 49:4 59:25 80:20</p> <p>agree 22:4,10,11 73:20 77:20</p> <p>agreed 44:21</p> <p>agriculture 30:21</p> <p>ahead 5:25 15:19 27:4</p> <p>Akayla 2:21 5:7 5:8</p> <p>al 1:8,13</p> <p>Alcoa 41:3</p> <p>Alcoa-Tennessee 51:14</p> <p>alderman 27:14 27:19 61:10 69:4</p> <p>Algoa 51:18</p> <p>alleging 4:15</p> <p>Allison 2:16 5:12 5:12</p> <p>allow 47:7 48:15 48:18,20 54:3 80:23 82:25</p> <p>allowed 41:11 54:9 77:10</p> <p>allowing 15:21 16:1 74:13</p>	<p>alter 23:8</p> <p>aluminum 1:8,13 2:8 7:16 16:15 17:9,11,21 18:2 18:4,6,11 19:22 20:10 21:9,24 24:17 27:13,16 27:19 30:13 33:23 34:3 42:3 46:16,18 49:22 50:12 52:9,11 53:24 57:19,21 57:21 58:2 61:21 72:1,15 77:6,23 78:1 81:17 82:23 84:2 85:8</p> <p>Aluminum's 60:25</p> <p>amazed 66:16 67:1</p> <p>Amber 79:24</p> <p>Ameren 1:11,16 2:3 4:12,15,16 4:17 5:1,3 7:20 8:22 9:3,13,15 9:16 12:12 13:7 13:8,12,17 14:9 14:10 16:16 19:23 28:19 35:13 54:5,8,12 62:21 63:12,12 63:23 70:12,17 70:19 71:1 72:19 74:6 77:16,21 85:13</p> <p>Ameren's 9:9,19</p> <p>America 28:23 48:18 52:1,10 52:12</p> <p>American 24:12 24:14 51:7,24 53:12</p> <p>Americans 67:22</p> <p>amount 13:16 29:4 61:22 77:16,19</p>	<p>announced 31:22 25:17 28:7 31:6 31:6,14 32:8 33:2,10 38:24 48:2 51:18 61:7 63:2,19,23,23 76:6,11 77:6,10 78:17,19 80:14 82:24 83:12</p> <p>annual 12:16 13:23 32:16 43:6 60:25</p> <p>annually 13:25 43:2 69:14</p> <p>answered 31:23</p> <p>anybody 84:16 84:21 86:10</p> <p>Anyway 38:18 44:3</p> <p>apologize 64:17 82:24</p> <p>apostles 32:3</p> <p>apparent 44:20</p> <p>appear 65:25</p> <p>appearances 2:1 4:20</p> <p>appearing 71:13</p> <p>apply 63:8</p> <p>appreciate 3:14 7:11,12 14:22 15:2,5,11,12 49:10 62:12 64:6 65:8 68:12 79:12 82:5,22 86:21</p> <p>appreciated 49:25 55:9 62:24</p> <p>appreciation 17:19 70:7</p> <p>apprised 45:18</p> <p>approach 19:7 33:21 72:21</p> <p>approving 69:21</p> <p>approximately 10:5 32:24 75:15,15</p> <p>April 40:23 47:2</p> <p>area 10:4 11:4,12 12:7,8,11,16 13:2,17,25 14:18,23,24 16:22 17:1,3,12 17:17,17,19 18:3,5,8 21:15</p>	<p>25:17 28:7 31:6 31:6,14 32:8 33:2,10 38:24 48:2 51:18 61:7 63:2,19,23,23 76:6,11 77:6,10 78:17,19 80:14 82:24 83:12</p> <p>areas 10:4 34:19 58:24</p> <p>argue 73:10</p> <p>Arkansas 55:23 55:23</p> <p>Armageddon 26:16 29:11,13</p> <p>arms 43:21</p> <p>Army 46:19</p> <p>arriving 43:19</p> <p>asked 6:22 25:1 26:4 38:19 41:16,17 71:5 81:7</p> <p>asking 55:25 56:22,24</p> <p>Aslin 68:20,22 69:3,3 88:21</p> <p>assemblies 71:17</p> <p>Assembly 71:21</p> <p>assessment 17:20</p> <p>asset 78:7</p> <p>assistant 80:12 82:14</p> <p>associated 18:4</p> <p>assure 3:18</p> <p>assuring 63:17</p> <p>Atchison 62:4,9 62:9 64:5 88:18</p> <p>atmosphere 7:12</p> <p>Attached 22:3</p> <p>attack 7:20</p> <p>attending 10:25</p> <p>attention 60:9 62:23</p> <p>attorney 19:2 90:12</p> <p>attorneys 4:20 5:15</p>
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attract 14:11,12	barely 25:25	29:11	53:2,5 78:20	83:14
attributable 69:15	Barnes 64:9	better 7:10 17:2	80:13 83:3	bureaucracy 25:12
audience 75:10	base 23:24 26:12	24:12 28:14,16	Bootheel's 23:10	bus 23:17,18
aunt 66:14	29:20 52:4	28:17 29:10	border 75:21	33:7
aunts 45:13	53:10 61:20	40:20 53:13	born 17:5 18:7	bush 78:20
authority 73:1	64:22 73:13	68:1,1 77:21	44:5 45:6 55:6	business 6:21
authorized 9:13	based 47:8 67:8	beyond 28:8	57:11 73:5	7:23 8:14 9:9
54:12	basically 8:17	74:14	75:14	13:6 17:21
auto 85:23	13:10 16:9	big 23:17 33:18	bottom 81:19	20:16,20 22:15
automobile 14:6	35:11 36:10	42:18 48:13	bought 41:4	24:4 32:8 34:16
available 39:23	79:14	51:19 85:17	Boundary 39:24	52:3 53:14
Avenue 2:5 5:4	basis 27:23	bigger 57:24	Box 2:17,22 5:8	57:18,19 63:18
awake 37:1	battle 13:14	biggest 39:14	5:13	67:17 68:2
aware 11:10	bear 25:1	60:17 67:13	braces 24:10	75:25 78:22
40:11 42:6	beautiful 46:21	81:11	branches 13:20	81:19 82:2
awesome 68:9,15	46:22	bill 43:6 71:18	Branson 11:22	83:12,19,23
awhile 7:13	becoming 34:11	72:5 75:5,7,9,9	11:24	businesses 18:3
A-S-L-I-N 69:3	35:21	75:13 88:23	break 48:23,25	20:18 26:18
	bedrock 20:12	billion 76:10	49:2 58:1 74:25	27:22 54:7
	began 17:1	bills 53:15 71:19	75:2	75:25 80:24
B	begged 41:9	birth 70:16	breaks 14:2	81:4,7,9,24
B 76:10	beginning 16:16	birthdays 43:20	breed 85:9	83:13
babies 78:15	begun 39:1	bit 7:11 38:11	bridges 55:14	Butler 19:13,18
back 26:8,11,12	behalf 4:21 5:7	50:1 59:12	brief 4:2 69:7	21:19 22:2
29:18 30:25	78:8	76:24 86:15	briefly 62:18	26:17 65:24
31:21 33:16	belief 28:8 67:8	bites 26:1	bright 42:2	66:4 67:15
36:1,18 41:15	believe 10:2	black 64:20	bring 6:17 26:11	buy 25:25 52:11
41:18 48:5,8,19	12:10 67:12	67:23	26:12 31:5 52:2	52:11 55:10
49:3 71:17	74:11,14 82:1	bleak 8:18 22:18	83:19	58:1
72:14,18 75:1	belonged 44:15	blinked 70:24	brings 37:4	buying 9:5 33:19
76:25 77:14	beneficial 14:14	blocks 41:22,22	broad 53:14	47:25
background 8:14	benefit 30:4 68:1	blow 82:3	broken 43:21	Byrne 2:4 5:2,2
80:11	74:24,24	blowing 78:20	brother 40:16	B-A-K-E-R 70:6
backgrounds	benefited 18:5	blue 39:18	brothers 35:14	
22:13	73:8	Bluff 66:4	45:12,13	C
backwards 41:17	benefits 20:15,22	board 14:11 69:4	brought 8:6 17:7	calculation 27:21
64:19	24:20 32:7 52:4	Bobby 47:17	50:10 69:18	California 42:13
bad 64:20	80:21	Bolivar 4:25	Bryan 2:11 4:24	42:15,21 51:21
Baker 70:1,6,6	benefitted 14:7	Boliver 2:12 4:23	bug 77:1,1	call 5:18 77:1
88:22	17:10,17 18:9	Bollinger 80:7	building 6:12	78:18
ball 43:21	Benton 36:18	booming 48:7	33:22 51:11	called 42:14 50:4
bank 31:13	Berry 27:6,10	Bootheel 6:8 8:17	52:6	75:18 77:6,10
banker 31:9	29:3 88:7	10:8 19:10	buildings 33:24	calling 38:14
banking 21:3	best 28:10 32:5	22:18,20,24	built 11:23,23	45:3
bankruptcy	42:9 44:21 81:4	23:4,22 26:3,5	39:14 40:25	Cameron 64:10
47:10	83:22 90:8	30:16 31:6,11	41:1	64:12,16,16
barber 66:14	bet 13:25 14:8,11	31:14 33:2,5	burden 20:3	

65:9 88:19 Campbell 36:17 cap 29:4 Cape 25:14 36:21 36:21,22,23 66:6 capital 29:8,8 57:24 58:5 capitol 6:12 7:24 39:7 car 24:22 36:13 36:13 cards 49:22 career 35:23 carefully 71:12 74:12 Carole 2:9 4:22 4:22 Carolyn 82:10,13 82:13 89:2 carpenter 39:12 carpenters 21:1 Caruthersville 1:6 11:3 12:20 22:21 23:17 32:11 36:14 cascading 20:15 20:24 case 4:11 8:6 9:1 12:1 32:1 42:8 57:15 79:13 cases 4:10 9:19 30:12 32:4 cash 58:9 catastrophic 28:8 caught 36:11 cause 20:6,15 31:15 32:1 37:11 81:18 causes 32:4 63:22 Cave 2:11 4:25 CCR 1:22 90:4 census 83:6 center 39:9 59:13 59:21 61:13 central 26:9	CEO 47:2 certain 31:16 45:17,19 certainly 19:24 26:19 62:23 63:18 86:22 certainty 20:8 CERTIFICATE 90:1 Certified 90:3 certify 90:4 chains 23:16 Chairman 4:6 challenges 11:11 53:4 challenging 81:5 Chamber 75:17 champions 34:8 chance 24:12 84:16,17 change 72:1 changes 85:6 charge 57:23 charged 4:16 19:23 59:17 60:15 charitable 83:5 charities 24:7 80:25 Charles 10:6 chart 41:16 chasing 25:9 chief 1:18 3:7 27:8 38:3 46:8 55:4 child 23:16 44:4 56:16 73:8 children 28:9,14 28:16 29:10 44:18,19 53:11 56:14 59:16 61:25 65:3 70:14 73:13 82:20 Children's 59:13 59:21 China 8:12 51:13	52:5,8,11,12 85:10 choice 35:24 Chouteau 2:5 5:4 Christmas 70:16 church 24:7 cities 16:23 citizen 73:6 citizens 17:3 21:10,21 33:10 37:17 city 2:13,18,23 4:23,25 5:8,13 6:14 10:4 27:14 27:20,21 28:4 69:9,10,20 70:17 73:17,18 77:18 civic 24:7 civil 74:16 claims 72:18 close 10:6 14:4 27:19,23 29:14 33:9,11,13,15 34:7 37:8,8 43:4,17 45:2 52:25 78:18 83:11 closed 9:4 17:21 34:3 35:17 51:21 58:21,24 66:2 closes 8:18 36:10 37:3 50:12 closing 9:25 35:11 58:14 75:25 83:16 closure 18:4,10 19:21 20:6,9 21:8 26:15 69:21 85:21 coal 31:20 55:5 coffee 24:1 cognizable 25:16 colleague 62:19 colleagues 35:3 collective 19:19	collector 11:9 62:20 college 11:1 24:11 25:24 37:2 57:10 color 22:11 columns 33:23 combined 60:19 come 4:8 5:18 7:20 8:14 13:12 22:13,15,19 25:20 27:12,13 28:1 30:25 34:4 44:23 45:24 48:15 51:7 58:20 61:19 72:18 74:21,25 75:4 84:22 comes 29:7 38:10 55:13 63:21 76:7 comfortable 49:24 coming 3:14 5:16 15:2 23:20 26:2 26:8 29:18 30:21 31:22 43:10 79:25 86:10,14 87:1 comments 3:20 3:22 15:3,6 27:1 64:3 68:16 86:11 commercial 74:17 commission 1:2 3:8,13,17 5:6,7 5:22 6:15,23,23 8:1 9:14,23 19:16 27:11 28:24 47:5 54:15 64:25 71:3 72:9,12 74:12 77:13 79:12 82:22 84:8 86:3 commissioner	3:25 4:1,3 6:7 10:13 13:19,21 15:1,4 18:15,17 18:20 26:25 27:2 29:21,22 37:21,23 46:1 49:9,11 50:17 52:16 54:18 56:3 59:6 62:2 62:10 63:4 64:2 65:6 68:18 69:24 74:20 76:17 79:19,21 82:8 84:10 86:6 86:11,13,14,17 commissioners 1:20 3:9 14:13 19:6 20:4 70:8 commissioner's 72:23 commissions 58:11 commitment 14:21 committed 10:7 commodity 34:16 commodity-ba... 57:19 common 9:7 49:21 communicating 34:8 communities 19:21 22:14 26:12 32:10 47:23 53:11 community 18:13 26:4 28:7 30:10,14,19 32:21 50:4 55:6 55:11,22 61:7 62:22 64:25 66:3 78:24 79:17 83:5 84:2 companies 31:20 53:25 78:8 company 1:11,15
--	---	--	---	---

19:25 42:14,18 48:24 63:2 74:8 74:9 77:5,7,8,9 85:7 company's 71:7 comparatively 85:24 compared 38:22 compartments 41:24 compete 57:20 68:1 competing 78:2 79:11 competition 8:13 8:15 42:9 competitive 8:2,6 8:9 35:8,16 37:14 58:4 67:20 78:10 79:9 competitors 58:13 Complainants 1:9,13 complaint 4:12 73:25 completed 60:1 complex 17:11 compliance 28:18,20,25 29:2,5,6 compression 74:3 conceive 20:19 concern 19:20 37:4 81:10 concerned 35:24 37:6 concerns 3:23 concluding 75:2 conclusion 72:11 concrete 33:25 conducted 70:21 conductor 70:22 conference 3:5 congressional	7:5,6 consider 20:5 21:20 37:9 45:11 55:21,25 69:21 71:5 74:11 consideration 63:25 74:19 considered 74:7 consistent 16:20 consists 39:3 constantly 85:14 constituents 6:22 80:17,19 constructing 47:8 construction 18:5 20:25 21:3 consumer 9:2 34:17 71:6 81:12 consumers 6:16 8:7,25 9:5,7 25:1 57:19 72:3 contact 41:10,11 contemplated 36:4 contention 13:18 contentment 47:4 continue 28:19 36:21 37:11 57:12 61:7,23 78:5 79:5 81:20 83:16 continued 32:23 81:15 continues 52:6 Continuous 81:18 contract 42:13 contracts 72:6 contradiction 73:3 contradictory 72:22 contrary 13:7	contribution 32:25 contributors 83:5 control 52:9 57:23 controlling 28:22 conversation 36:25 convey 17:20 cope 18:4 cops 28:4 corner 53:7 corporate 84:2 corporation 14:8 corporations 83:4 corrected 74:8 correlation 73:24 cost 25:1 28:17 28:19,25 29:1 34:16,18 35:10 42:12 58:10 75:25 77:24 78:5 81:13 85:9 85:12 costs 8:5 29:6 34:18 35:6,13 42:7,23 53:23 54:11 57:18 58:3 68:3 85:13 counsel 2:15,20 5:8,11,13 90:9 90:13 counties 7:3,3,4 10:1 11:7 12:7 19:13,18 20:23 20:24 21:19,21 22:2 80:8 83:6 83:7 countries 52:6 85:10,11 country 7:2 53:22 54:3 58:25 67:8 73:13 85:8,17 85:22	county 10:25 11:2,6,10 12:2 12:6,20,21,23 13:11 19:2,10 19:17 20:12 22:1,4,8,9 26:16,17 55:13 55:15,18 61:19 62:10,13,19 63:5,7,9 65:23 65:24 66:4,5,6 66:13,14,15,16 67:15 69:11,14 80:18 81:23 83:8,8 couple 16:5 25:2 62:18 65:22 78:15 80:20 course 27:23 41:7 court 3:19 30:4 38:5 51:1 62:8 64:15 70:5 74:23 76:22 80:3 90:3 courthouse 12:2 22:12 62:20 courthouses 55:15 cousins 45:12 covering 54:11 create 12:8 13:23 14:9 25:14 created 11:18,19 credits 25:13 83:20 crime 47:25 53:9 crisis 43:1 critical 12:11 critically 63:1 Crowder 1:22 90:3,19,20 crucial 6:24 crushing 21:4 cry 44:8 49:5,5 cultivate 83:23 curious 72:22	currently 11:9 30:12 35:18,21 53:22 60:2 71:4 83:9 customer 9:3,19 16:16 63:12 70:12,17 74:8,9 customers 4:17 4:17 6:17,18 9:19 16:17 53:15 63:13,23 71:2,8 77:25 cut 58:9 cutting 29:14 Cynthia 46:22
D				
dad 39:10,11,13 39:22 56:14 82:17 dad's 39:11 40:4 Dakota 39:7 40:1 40:13 Dallas 54:20,25 54:25 55:3 88:14 dam 39:11,12,14 39:17,21,24 damage 20:15 damaged 21:16 Daniel 1:19 3:25 dare 27:17 darn 67:23 Darren 57:1,5,5 57:7 88:16 date 70:16 dated 47:2 daughter 65:2 daughters 46:21 79:7 day 13:10 34:7 days 23:4,7 24:17 32:12 71:2 dazzle 69:18 debate 81:15 decade 32:24 decades 11:21				

<p>December 31:21 43:22 44:5 decided 42:22 84:16 decision 14:23 20:4 21:22 37:10,17 54:1 67:17,18 71:8 71:11,11 77:4 83:16 85:25 86:2,23 decisions 23:8 34:23 68:11 82:4 decline 38:20 decreased 76:2 decry 13:6 dedicate 39:17 deduction 60:20 60:24 deductions 61:1 deeply 37:5 66:6 defaults 21:4 definite 25:16 degree 30:24 33:16 37:2 73:2 deliberate 71:12 deliberations 20:7 21:20 deliver 19:7 delivered 72:8 Dennis 49:14,20 49:20 50:19 88:11 Dentistry 25:14 deny 47:6 department 25:13 73:16 depend 53:18 58:15 68:13 dependent 7:18 24:2 78:17 deposition 90:11 depressed 25:17 Deprow 84:19,19 depths 24:16 describe 22:17</p>	<p>described 64:19 describing 67:2 deserves 24:14 desperate 32:1,3 desperately 44:13 despise 73:21 destitute 67:22 detail 41:19 45:18 details 42:19 determination 72:10 determine 81:20 determined 21:14 detrimental 83:11 devastated 20:20 58:23 devastating 13:8 13:12 61:25 66:3 82:3 developer 75:17 76:8 development 10:8 24:25 25:10,13 81:3 83:21,22 Dexter 69:4,9,11 69:20 Diana 2:10 4:24 4:24 difference 9:22 different 4:10 16:9 35:5 38:11 38:18 48:11 50:1 51:8 59:12 61:14 74:8 76:24 77:8 81:21 differing 81:6 difficult 20:19 diminishes 18:12 diner 22:23 dire 20:8 21:9 direct 81:25</p>	<p>direction 38:11 38:19 80:25 90:9 directive 74:13 directly 17:10,13 17:16 18:1 24:2 25:11 42:4 65:20 69:15 85:9 director 57:8 59:12 75:17 dirty 23:10 disabled 50:7 disagree 77:20 77:20,22 disasters 62:22 disastrous 20:5 discussed 36:7 83:20 discussion 42:2 discussions 44:17 disperse 76:6 displaced 76:1 76:10 distance 39:16 40:9 distinction 63:6 distraught 45:3 distributes 58:3 district 6:9,9 7:2 7:5 10:1 55:18 73:10 80:7,10 83:7,10 districts 7:6 division 17:23 divisions 17:22 Dixon 47:19 documentation 71:10 documented 12:12 57:14 documents 9:12 Doe 26:7 doing 7:10 28:13 34:10 72:25 81:21 dollar 52:3 60:1</p>	<p>78:23,25 dollars 13:24 24:24 25:2,4,9 25:11 51:25 60:1,19 76:10 78:22 dollar's 12:15 Don 15:13,17,18 15:18,20,25 16:12 50:2 88:5 Donald 84:19 donate 24:6 donation 60:20 61:3 donor 61:20 door 44:7 doors 21:13 23:25 doubly 65:18 doubt 6:15 71:9 Doug 6:1,8 88:3 Dr 16:3 62:20 Dragnet 79:14 drains 18:12 dramatic 7:22 drastic 21:21 58:11 draw 73:24 dream 53:12 dreamed 17:6 dreams 30:22 43:15 drive 32:12,12 45:14 80:20 driven 68:2,8 drivers 14:17 48:8 driving 23:14,15 45:7 66:20 drop 33:5 drought 42:12 drove 33:20,20 Dubai 85:11 due 19:22 46:25 47:9 duly 90:5,6 Dunklin 11:7</p>	<p>12:21 19:12,18 21:19 22:1 26:17 66:14,15 Dustin 2:16 5:12 5:12 dying 85:9 d/b/a 1:11,15</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>earlier 31:2 33:6 35:12 38:13 50:2 55:12 59:2 79:1 early 39:5 42:11 earn 24:19 earned 9:13 52:3 54:12 earning 26:14 earnings 9:15 54:7,15 eat 36:22 economic 8:5 10:7 11:11 12:11 14:16,17 18:8,11 19:20 20:9 23:21 24:25 25:10,13 26:15 29:13 32:6 53:5,23 67:22 69:13 75:17 76:8 78:21 81:3 83:11,21,22 84:5 economically 25:17 economics 29:19 economist 66:8 economy 6:24 8:16 20:11,13 21:23 31:11 32:7 33:1 34:10 36:7 43:2 54:10 57:22 63:1,19 66:5 67:14,20 67:21 81:24 EC-2014-0223</p>
--	---	--	--	--

<p>1:10 EC-2014-0224 1:14 edges 67:13 education 28:10 55:17 73:8 effect 21:21 66:1 69:13 85:21 effects 20:5 efficiency 42:7 43:12 effort 31:4 efforts 41:2 83:19 eight 7:3 27:16 60:23 61:1 76:2 eighteen 13:10 eighth 35:19 either 9:3 elected 11:13,15 19:10,11,12,17 21:18 22:1 27:14,20 29:15 65:23 80:12 electric 1:11,15 6:13 7:21 8:3,4 19:22 51:16,17 53:21 70:14 71:7 72:7 81:11 81:18 electrical 13:5 71:16 electricians 21:1 electricity 20:2 35:9,10 47:1 70:14 71:16,20 72:3 77:19 81:13 element 68:5 elementary 43:20 eleven 72:17 eloquent 69:5 em 48:23 emerge 47:10 emergency 4:8 58:23 emotional 65:7</p>	<p>65:18 86:20 employed 17:13 39:24 41:5 45:19 63:20 75:19 90:10,13 employee 27:12 29:15 48:14 50:7 90:12 employees 12:14 13:1,9 17:22,24 17:25 20:19 24:3 32:9 34:4 34:9 35:2,18 41:6 43:1,13 44:10 45:9,20 47:16 48:14 51:23,23 55:12 55:24 60:3,4 63:20 69:10 76:4 83:9 employer 53:1 83:1 employers 83:4,9 employment 34:5 48:2,5,17 employs 76:3 empty 48:19 enabled 60:2 enacted 71:23 endeavor 31:15 endeavors 25:10 ended 61:10 energy 7:19,19 42:4 43:5 47:6 72:7 77:23 engineer 35:22 engineering 30:24 33:16 enjoy 70:13 73:15 enjoyed 11:25 73:14 enormous 33:1 42:22 Enron 42:14 ensure 35:7,8 entire 6:25 7:2</p>	<p>13:10 18:5 20:13 42:15,16 66:10 73:7 entirely 7:18 entitled 71:19,20 envelope 26:21 enviable 25:18 environment 28:17 environmental 29:9 85:15 environmentally 29:12 52:7 envisioned 43:16 43:17 45:3 envy 85:25 EPA 42:13 85:15 epicenter 20:23 Epstein 49:14,15 49:20,20 50:19 88:11 equally 45:18 equate 25:11 equipment 33:19 33:22 36:8 51:12 60:10 especially 62:12 establishing 30:11 estate 22:15 estimated 8:23 estimates 47:11 ES-2014-0223 4:11 ES-2014-0224 4:14 et 1:8,13 evening 3:3,20 4:1 6:2,3 15:2 15:14 18:25 27:7 29:25 30:1 38:20 46:5,13 49:15 50:22 52:19 54:21 56:5,6 62:5 64:3,11,12 65:12,25 68:21</p>	<p>68:22 70:2,7 80:5 82:6,11 84:23 evening's 42:2 event 19:21 70:23 71:11 72:25 78:18 eventually 41:4 everybody 36:23 57:13 59:19 everyday 83:14 evidence 3:19 evident 30:23 exacerbated 23:22 exactly 6:21 45:13,24 exam 41:13 examination 72:5 example 54:13 exceed 32:15 exceeds 32:8,9 excellent 27:16 exception 19:14 exchange 57:21 78:1 executive 13:20 executives 67:10 exemplary 13:9 Exhibit 27:5 89:10 EXHIBITS 89:8 existence 17:15 expansion 60:1 expensive 42:23 experience 23:7 42:5 67:9 experienced 45:16 81:13 experiences 86:22 expertise 58:22 explain 30:13 39:20 exponentially 25:7</p>	<p>express 19:19 expressed 81:10 extend 50:13,14 70:7 extreme 19:20 extremely 66:21 66:21 eye 41:16 eyes 33:17</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>fabric 21:17 face 11:11 21:6 29:15 53:17 82:3 85:18 faced 23:22 43:1 83:13,15 faces 22:25 23:7 23:10 facilities 71:21 72:1 facility 37:12,13 42:4 47:9 78:18 80:18 82:2 facing 38:25 fact 9:18 16:5 28:3 50:8 60:13 85:5,13 factories 52:12 factory 22:16 facts 12:12 57:14 64:19 79:15 failure 69:9 fair 56:1 68:13 fairly 16:20 fallen 44:7 falling 20:23 Falls 45:7 familiar 14:20 84:14 families 7:22 16:22,24 21:5 23:1 25:24 28:2 41:22 42:24 48:21 53:3 59:22 61:5,9,12 61:13,15 63:20</p>
--	---	--	--	--

family 4:7 8:10 10:1,5,8 11:5 23:6,20 24:11 24:21 26:13 30:16,18 35:3 37:5,7 39:22 45:22 49:24 53:2 59:17,19 60:16 61:16 70:13,16 77:3,9 78:13 80:17	fifty 42:25 fifty-eight 67:6 69:11 fifty-five 48:17 fifty-six 19:11 22:4 fight 34:14 fighting 6:16 28:5 48:9 fight 8:24 figure 60:22 81:3 figures 76:5,12 File 1:10,14 filed 4:12 7:25 54:6 fill 64:3 final 71:11 86:11 finally 11:21 financial 24:21 72:2 financially 90:13 find 16:24 22:3 22:10 25:5 51:22 72:13 74:15 finds 71:4 74:12 fine 40:16 finished 36:24 59:25 fire 28:5 firm 19:12 first 5:25 9:20 11:8,13 15:20 17:8,8 34:19 38:19 39:6 40:3 41:7 44:8 48:25 62:19 64:17 65:22 80:14 firsthand 53:24 83:13 five 3:16 13:4 15:11 40:16,23 60:5 69:13 five-minute 74:25 fix 8:6 fixed 58:3	flat 36:19 floats 14:17 flood 71:9 Floyd 47:17 fold 63:18 folks 65:20 67:7 68:9 follow 15:9 following 18:10 75:2 follows 71:22,25 food 53:10 force 36:8 51:6 58:12 forced 9:4 43:2 46:24 78:19 forcing 72:19 foreclosures 21:5 foregoing 90:5 foreign 85:11 foreman 51:5 foreseeable 42:1 foresight 66:25 forever 21:16,16 form 83:22 formal 3:4 former 43:4 Forsyth 43:4 forth 41:18 fortunate 44:1,2 77:6 forty 16:15 33:13 53:4 59:14 forty-five 17:14 57:17 forward 3:22 4:5 28:9 79:25 86:10 forwards 64:19 fought 13:13 68:7 found 42:24 43:23 foundation 20:11 founded 28:23 four 7:3 9:25 10:2,5 11:17	82:20 83:7 fourth 66:10 fragile 12:11 Frankly 8:11 Fred 37:25 46:4 46:5,10,10,13 46:14 88:10 Fredericktown 30:20 freely 83:21 friendly 42:8 friends 35:3 40:18 41:22 frightening 40:3 front 8:21 9:7,8 fruitless 25:10 full 12:24 41:5 47:4 fully 18:8 45:18 full-time 60:3,4,4 fundraiser 60:17 funny 39:19 furnish 24:11 furnishing 73:19 further 34:18 50:13 70:25 72:5 90:11 future 4:13 17:3 22:17 24:9 25:21 28:12 37:7 38:25 42:1 42:12 43:16 44:17 45:2,24 F-A-Y-E-T-T-E 59:11	generally 42:1 69:12 generated 47:9 generation 13:1 66:11 generations 18:7 55:7 gentleman 38:14 gentlemen 62:11 62:15 65:16 69:22 85:25 George 66:11 getting 28:10,11 33:7 65:8 79:12 GF 41:24 Gideon 36:16 Gies 50:21 51:2,2 51:4 88:12 give 14:1 24:13 31:19 37:16,17 48:23,25 49:2 60:13,16,22 74:21 76:15 82:16 84:15,17 84:21 given 69:15 giving 44:13 65:16 global 57:22 67:14,20 go 5:25 9:19 11:14 12:2 15:19 16:18,22 17:2 23:7 27:4 28:13 35:5 36:1 36:15,15,16,23 39:22 42:21 48:2,4,19 59:3 60:2,11 67:15 72:16 82:2 85:20 goes 21:7 28:22 29:7,8 36:24 45:17 53:14 64:22 78:14 going 3:4 5:17 16:4 27:4 28:15
G				
			gainfully 45:19 games 43:21 Gary 56:4,6,12 56:12 88:15 gas 22:23 24:1 47:8 48:7,11 gases 29:4 gate 35:3 gathered 22:24 general 71:17,21	

33:13 34:14 37:8 41:19 43:18 48:9,16 53:19 56:18 64:21 67:16,21 69:6 74:22,25 85:14 gonna 4:1 7:13 29:13 36:14 55:8,20 59:3,11 59:18 76:23 84:13 good 3:3 4:1 6:2 6:3 10:8 14:8 15:14 18:25 22:25 23:4 24:17 27:7 29:25 30:1 31:11 37:2,3,12 40:18 46:5,13 49:15 50:22 51:23,24 52:19 53:11 54:21 56:5,6 62:5 63:9 64:11,12 64:24 65:12 68:21,22 70:2,6 73:10 74:3 76:13 77:15 80:21 81:23 82:11 84:4,23 goodbye 40:4 goods 52:11 55:10 79:10 goofy 43:6 gotten 7:11 government 41:1 41:2 52:5,8 53:16 56:17 69:8 74:7 Governor 14:3 71:18 Gracie 44:5 grades 35:5 Graduated 73:9 graduations 43:19	grandchild 44:4 45:6 grandchildren 40:23 43:18 46:21 79:8 granddad 39:11 grandkids 37:2 55:19,20 grandma 40:4 grandpa 40:4 grandstanding 25:23 grant 21:24 graveyard 41:7 great 11:4 24:14 37:4 74:4 79:4 81:10 greater 25:7 greatest 78:7 green 29:4 Greenridge 70:10 Greg 44:10,11 grew 10:24 41:20 65:1 grid 42:21 51:5 51:20 grim 21:6 grindstone 42:17 groceries 25:25 group 19:19 77:15 grow 81:4,8 growing 28:9 33:11 77:3 grown 11:20 61:22 70:15 growth 11:25 guarantee 22:8 guess 17:12 50:9 50:11 62:17 84:13 guidance 37:16 guy 15:21 G-I-E-S 51:2	half 46:16 48:3,4 81:1 hall 1:19 3:25 4:1 10:15,16 13:21 15:6 18:19,20 27:2,21 29:22 37:23 49:11 79:21 86:14,17 Halter 57:1,5,5,7 66:17 88:16 Hampton 75:5,8 75:9,9,12,13 76:19,23,23 84:18 88:23,24 hand 6:5 10:19 15:15 19:3 38:2 46:7 47:4 49:16 50:23 52:20 54:22 56:8 59:8 59:22 62:5 68:24 82:11 handful 43:7 handicapped 50:3,3 handout 58:12 hands 47:15 handwriting 79:23 Hannibal 46:17 47:5 happen 17:21 29:12,13 33:25 34:1,9 45:22 47:23 64:21 66:1 happened 11:25 32:5 39:23 59:1 85:14,23 happening 12:7 happens 10:10 hard 12:8 15:23 21:11 22:25 41:8,20 43:5 47:20 48:20 67:25 76:11,13 85:18 harder 8:24	hardest 44:24 hardware 20:25 Harper 56:4,6,12 56:12 88:15 harsh 23:18 hate 8:16 haul 83:24 Hayti 36:15 head 36:13 health 12:11 hear 30:11 35:17 42:19 64:20 heard 6:11 12:13 13:2 16:7,7,10 33:6 43:3 44:8 56:23 58:14,16 58:18,20,22 64:18 65:17 67:14 76:12,25 79:1 86:19 hearing 1:4 3:22 4:5 14:22 15:24 62:12 65:19 90:4 hearings 3:15 4:4 72:25 heart 65:18 heartbreaks 50:12 heavy 20:3 held 24:15 Hello 56:12 help 6:25 8:6 14:11 25:4 47:24 50:16 51:19 54:5,17 56:17,22,24 57:24 helping 43:17 helps 32:21 56:17 Helton 46:4,5,10 46:10,13,14 88:10 Herman 64:8,8 Hey 73:11 high 8:16 30:22	35:21 43:20 51:14 78:11 higher 6:13,19 8:10 53:15 57:18 59:2 63:16,24 highest 8:3,21 35:20 43:12 53:21 81:16 highly 77:23 high-paying 20:14,21 21:2 hikes 9:1 81:22 Hill 36:18 47:19 hills 26:9 hired 77:7 hiring 41:9 historical 12:3 history 21:15 30:17 31:4 hit 36:24 77:1 hold 9:15 15:22 47:15 54:15 78:5 holding 62:12 72:24 hole 33:25 64:20 67:23 Holly 82:15 home 10:24 21:3 21:4 23:14,15 40:1,17 41:21 48:19 70:14 77:10 78:15,18 homes 80:24 hometown 46:18 honest 22:25 honestly 44:16 Honor 4:22 5:2 hope 24:9 37:18 45:14 62:13 64:6 84:5 hoped 17:2 44:13 hopefully 28:11 47:21 57:11 hopes 25:5,22 43:15 45:4
<hr/> H <hr/>				

<p>hoping 8:20 hotel 11:22 hotline 43:13 hotlines 42:9 hour 67:17 69:16 81:1 hours 13:10 70:23 74:23 house 29:4 70:15 household 23:15 24:22 33:3,6 44:24 households 24:15 housing 20:22 huge 45:22 hundred 7:17 8:10 12:14 13:24 20:14,21 21:2,5 24:15,22 24:24 25:8,16 25:18,20,21,23 26:2,8,21 32:9 32:16 36:5,15 37:6 42:24 46:15 47:12,13 47:15 48:14 50:7 52:25 53:3 53:17 54:4 60:5 60:18 61:5 63:20 75:22 78:11,13 79:6 81:23 83:2 hundreds 28:3 Hunter 31:9,15 hurdles 81:12 hurt 7:22 hurting 81:24 hurts 16:11 husband 46:21 H-A-L-T-E-R 57:5 H-A-M-P-T-O-N 75:9</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>ice 13:12 70:22 70:24 71:1</p>	<p>idea 60:16,23 74:13 identify 77:17 78:13 II 41:1 Iles 2:9 4:22,22 Illinois 55:24 imagine 27:17 immediate 47:3 60:9 immediately 43:8 43:15,24 47:10 impact 12:16 13:24 18:8,12 27:18 28:6 32:6 32:15 37:9 47:22,23 53:14 53:24 61:6 72:2 74:1 78:21 80:23 83:11 impacted 69:20 implodes 64:22 implore 21:20 29:17 importance 30:15 42:6 82:23 important 3:15 12:9 13:2 14:16 30:17 31:3 60:21,22 63:1 63:18,19,21 80:15 importantly 8:22 27:15 impossible 33:11 impoverished 65:3 impoverishment 60:7 impractical 74:10 impressed 71:14 improve 34:13 58:8,10 impulse 38:20 incentives 14:2,3</p>	<p>14:5 83:20 Incidentally 45:5 including 20:25 income 10:1,5 21:6 33:1 incomes 33:3,6 increase 6:20 7:22 8:23 9:6 13:3 17:17 19:25 28:19 34:19,23 48:1 63:13 81:13,18 increased 19:22 34:20,21 35:14 81:14 increases 77:24 increasing 81:11 increasingly 45:21 incredible 68:5 indefinitely 28:1 INDEX 88:1 indirectly 17:10 individual 29:16 individually 61:14,15 individuals 17:12 19:14 industrial 17:7 17:11 31:23,24 33:14 37:16 45:22 74:18 industries 48:13 67:20 74:18 77:12,24 78:8 85:17 industry 14:2,6 14:12,13,14 20:25 21:3 29:7 35:15 85:8,24 inescapable 26:20 information 39:25 63:10 80:11 infrastructure 14:14 64:23</p>	<p>initially 44:23 injured 21:16 innovation 67:1 67:24 input 4:4 insignificant 10:3 instance 10:4 12:1 instances 78:14 insurance 77:2 integrated 40:12 intended 42:20 intensive 77:23 intention 74:3 interest 82:17 interested 35:21 74:13 90:14 international 8:13,15 interstate 66:24 intervene 72:19 invest 32:23 57:24 invested 57:24 67:24 85:7 investment 25:15 38:22 70:18,19 74:1 involved 34:25 79:13 iron 39:10,24 irreparable 20:15 issue 22:13 29:5 71:14 72:24 80:9 81:15 issues 85:16,17 item 20:1 71:25 Ivie 52:18,22,22 88:13 I-V-I-E 52:22 i.e 47:24</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>Jackson 70:10,18 73:9,18</p>	<p>James 47:17 Jeff 65:11,15,15 88:20 Jefferson 2:13,18 2:23 4:23,25 5:8,13 6:14 10:4 Jerry 47:16,19 Jill 1:22 90:3,19 90:20 Jim 62:4,9,9 64:5 88:18 Jimmy 64:9 job 13:9,17 14:12 23:5 24:18 27:16 28:5,11 32:14 41:10,12 42:25 43:8 44:12,14 45:10 47:12 50:7 56:18 78:17 82:19 jobs 7:17 8:11,18 10:9 11:11,12 11:18 12:8,9,10 13:23 14:16 18:1 20:14,21 21:2 24:1,25 25:5,5,8,12,14 25:16,18,20,21 26:2,3,8,9,10 26:11 28:2 31:5 31:12 32:16 36:6,15 37:12 47:14 51:6,7,24 52:13 53:2,9,12 53:17,19,24 54:2 55:11,14 56:19 61:6 75:22 78:12 80:22 81:23 83:2 John 47:19 50:21 51:2,2,4 88:12 Johnson 18:23 18:24 joined 35:13</p>
---	--	---	--	--

joke 71:15	44:10 45:9	13:19,20 14:19	lean 15:25	46:23 57:11
Jones 2:21 5:7,8 64:9	Kay 79:24	14:20,20,23	learn 80:19	73:7
journey 23:2	Keen 79:25 80:4 80:4,6 88:25	17:4 29:6 32:18	learned 35:5	lifetime 59:21
Jude 17:7 31:24	80:4,6 88:25	53:9 55:9 56:14	42:14 71:17	67:9
31:25 32:2	keenly 11:10	56:18 57:12,17	80:15,17 81:16	life's 23:2
37:16	keep 14:16 15:10	59:20 64:23	leave 16:22 22:20	light 50:1
Judge 1:18 3:3,8	42:7,22 48:22	65:7 66:23 67:5	22:21 28:15,16	lights 70:24
3:24 4:6 5:1,5	48:22 50:16	67:14 68:12	29:10 32:19	likes 59:2
5:10,15 6:2,4,6	85:7	72:24 73:5,21	36:14 46:16,18	limits 70:18
10:11,15,17,20	keeping 8:10	78:3,10 83:13	48:4 64:4 73:4	73:18
10:21 14:25	78:11	86:14	86:15	line 41:14,17
15:7,14,16,17	Keiser 44:4,9	knowing 23:19	leaving 23:14	70:19 81:19
15:19,23 18:15	Keith 43:4	41:13	40:17 67:21,21	list 5:17,18 6:1
18:19,21 19:3,5	Kennedy 39:15	knowledge 69:19	left 3:24 33:24	15:9,13 18:23
19:8 26:24 27:3	Kennett 12:21	known 32:3 40:1	35:19 44:22	21:7 27:6 29:23
27:7,9 29:1,23	36:16	71:24 78:20	45:14 54:1	37:24 49:13
30:2,3,8 37:19	Kenney 4:6		55:10 67:15	50:20 75:5
37:24 38:2,4,8	Kenny 32:22	L	79:4	79:22 84:12,15
46:4,6,9,11	59:13,21	L 1:18	legislation 72:14	84:19,20
49:8,13,17,18	Kent 76:19,23,23	labor 17:19 31:8	legislative 28:20	listen 4:2
50:20,24,25	88:24	35:1	80:10,12 82:14	literally 28:3
51:3 52:15,18	Kentucky 31:17	laboratory 29:5	legislator 72:20	Litigation 1:21
52:21 54:20,23	55:24	lack 47:24	legislators 8:8	little 7:11 10:2
54:24 55:1 56:2	kept 25:16 36:25	lacking 37:13	78:9 81:7	23:10 38:11
56:4,7,9,10,25	38:14	LaDawn 47:18	legislature 11:8	41:24 50:1 53:6
57:2,3 59:5,7,9	key 51:10	lagging 40:11	11:14 13:18	58:1 59:12
62:4,6,7 64:8	kid 33:7	lands 36:19	81:2 83:18	61:14 66:14
64:13,14 65:5	kids 24:10,13,13	Lane 70:10	lenses 41:10,11	71:15 76:24
65:10,13,14	24:22 25:24	large 30:23 51:19	Lester 44:10	79:23 80:11
68:17,20,23,25	35:8 50:7 55:17	54:10 70:21	letter 19:7,9,11	86:15
69:1,23 70:1,3	55:20 56:17,20	83:8	19:15 22:3,5	live 11:5 16:12
70:4,8 74:22	59:24 60:6,8	larger 16:23 36:8	27:5 47:1 89:10	37:3 49:24
75:4,6,7,10,12	61:18	66:5 70:24 71:1	letting 18:14	53:11,13 55:5
76:16,19,20,21	Kieser's 42:13	71:5	56:13	69:10 70:10,20
79:18,22 80:1,2	kind 14:1 18:2	larges 81:12,13	let's 5:25 32:25	77:10
82:10,12 84:9	27:12 31:4	largest 53:1 66:5	49:3 77:17	lived 17:9 23:4
84:12,23,24,25	32:13 50:1	77:18 83:3,4	level 58:13	38:24 39:6,8
86:5,9,25	56:13 82:25	late 77:3	levels 26:4	57:10 67:5
jump 14:11	kindergarten	LAW 1:18	Liable 6:1,3,7,8	75:14,14
June 1:5	43:20	laws 73:3	88:3	lives 9:22 21:22
jurisdiction 72:9	Kingston 44:12	lay 37:14	library 73:14	22:19 23:8,12
	knees 31:18	layoffs 27:25	lieu 71:23	38:24 47:15,22
	knew 16:4 40:8	lead 30:20 72:10	life 10:24 17:3	50:14
	45:1	leaders 22:14	21:23 22:10,17	living 11:13
	know 4:20 7:7,15	26:4	24:13 27:18	23:22 24:25
Kaiser 41:4,13	8:9,24 9:25	leadership 42:18	36:4 40:19	26:22 40:7
41:23 42:8,20	10:3 12:8,16	leads 53:8	43:25 44:9,25	56:15
42:22 43:1,4				

<p>LLP 2:11 4:25 local 1:4 3:14 22:7 24:7 31:9 32:7 33:10 36:7 47:23,25 51:5,6 52:3,4 53:15 58:18,22 73:14 73:15 78:2 80:24,25 located 8:2 75:16 80:10 81:1 location 66:22 London 78:1 long 33:23 42:6 47:20,21 57:12 80:20 83:24 85:20 86:17,18 longer 6:21 7:14 9:3 33:19 38:23 51:18 76:1 83:17 long-committed 84:5 long-standing 83:1,23 long-term 45:20 look 3:22 4:5 8:17,17 23:7 26:5 28:9,13,14 29:17 33:18 36:1,18 38:15 42:18 49:3 53:8 67:18 81:19 85:19 looking 44:3 60:21 67:19 69:14 79:10 85:23 looting 26:19 lose 27:25,25 28:3,12 29:19 33:3 43:8 47:12 56:18 loss 18:1,2 20:13 20:20 28:2,13 55:22 lost 31:15,16</p>	<p>32:1,4 37:11 47:14 55:11,14 58:25 61:6 63:11 70:23 75:22,23 83:6,8 lot 6:11 7:14 12:12 16:7,7 48:6,19 50:13 55:8 56:21 57:23 60:8,10 62:14 65:17 66:15,25 69:17 76:9 77:11 85:4 86:19 lots 48:18 Louis 1:24 2:6 5:4 14:7 36:14 love 55:19 77:1,1 low 7:9 42:7 52:13 lower 9:16 23:24 52:13 53:25 54:15,16 lowering 34:18 lowest 33:2 43:12 lucky 23:6 44:6 45:10 ludicrous 74:10 lunch 50:9 luxuries 73:23</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>M 1:19 Madison 80:8 Madrid 7:16 8:20 11:7 12:19 12:23,23,24 19:12,18 20:11 20:23 21:19 22:1 26:16 30:15 31:21,23 32:11,19,20 36:16 37:13 55:18 57:9 61:19 62:25 63:1 75:16 80:18 81:15,23</p>	<p>82:2 maintain 81:4,8 maintenance 20:17 major 17:22 61:8 61:9 majority 33:22 47:6 61:18,20 making 37:10,17 67:18 71:9 malaze 26:20 Malden 75:14,18 75:18,20 Mamtek 25:14 man 30:21 37:4 61:10 managed 58:19 management 58:20 81:21 manager 16:13 mandated 74:6 mangle 84:17 manipulating 42:15 manner 74:5 manufacturer 84:6 manufacturers 8:12 manufacturing 8:11,15 31:5,10 37:12 78:11 79:4 83:9 March 39:6 44:22 60:18 margins 83:15 mark 27:4 70:1,6 70:6 88:22 MARKED 89:9 marker 12:3 market 9:5 17:19 20:22 43:6 52:9 72:16 78:2,2,3 79:9,11 markets 53:3 married 77:1 Marshall 49:5</p>	<p>Master 46:19 materials 35:4,6 matter 21:14 50:8 59:4 70:9 72:11 73:4 86:23 matters 9:8 matured 18:8 ma'am 62:3 82:9 McClung 82:10 82:13,13 89:2 McGee 47:18 meal 23:20 mean 13:14 29:1 61:21 72:24 meaning 43:14 meaningful 9:22 means 17:6 21:2 28:4,5,5 30:13 56:15 83:21 meant 12:17 measurements 63:8 measures 53:6 median 10:1,5 33:2,5 medical 46:14 meet 23:12 24:5 meeting 23:14 30:11 31:14 87:1,2 member 46:23 members 3:16 27:11 47:14 59:20 80:17 memorable 70:16 memorized 41:14 memory 39:13 men 17:6 47:20 mentally 50:3 mention 6:20 47:22 55:23 63:4 met 40:21 44:11 45:11 85:16 metal 16:14</p>	<p>57:21 78:1 Mexico 8:13 67:16 75:21 Michael 38:6,6 38:10 46:3 88:9 Michelle 59:7,10 59:10 88:17 microphone 15:24 middle 66:23 Midwest 1:21 migration 16:20 16:25 18:13 76:5 Mike 37:25,25 47:3 mile 33:23 miles 12:22 32:13 45:6 46:15 55:5 65:24 75:15,15 79:24 military 13:13 million 9:13,17 12:14,16 13:24 13:25 20:1 24:24 32:8,9,15 32:17,24 34:21 34:22 35:14 36:6 43:2 48:25 54:5,12 55:10 59:25 60:1 63:14 69:14 76:7 81:14 mind 24:20 41:18 mines 30:20 minimum 23:25 minute 78:12 minutes 15:11 Mississippi 61:19 66:23 83:7 Missouri 1:1,6 1:11,16,24 2:13 2:18,23 3:16 4:23,25 5:3,4,9 5:13 7:1,4,20 8:11,12,25 11:1 11:7,16,18,23</p>
--	--	--	--	--

<p>11:24 13:22 16:12 18:13 19:23 22:6 25:4 25:4,6 26:9 30:10,14,25 32:6,16 33:10 37:4,5,10,18 39:9,10 44:14 51:6 52:12 53:6 53:13 54:7 57:10,16 59:17 60:6,11 62:1,21 63:12 66:6 67:7 69:4 70:10 71:6 71:22 74:2 77:18,19 80:16 82:3,7 83:1,3 83:18,25 84:6</p> <p>Missourian 66:11</p> <p>Missourians 83:25</p> <p>Missouri's 10:24 34:10 48:12 54:10 81:12</p> <p>mistake 45:9</p> <p>Mitch 47:18</p> <p>MO 2:6</p> <p>modern 51:16</p> <p>modernize 58:5</p> <p>Mogul 75:19,21 76:1,4</p> <p>mom 40:5 82:19</p> <p>moment 4:3</p> <p>moments 65:16</p> <p>money 49:1 54:14 61:15 62:14</p> <p>monopoly 34:15</p> <p>Montana 51:9</p> <p>month 25:2 42:10 51:19 52:2,2 54:14</p> <p>months 42:16</p> <p>Moody 47:19</p> <p>Moore 15:13,17 15:18,18,20,25</p>	<p>16:12 50:2 88:5</p> <p>morning 45:1</p> <p>Morris 1:18 3:7</p> <p>mortgage 24:6 24:22</p> <p>mother 23:19</p> <p>mothers 45:13</p> <p>move 13:22 18:24 44:18,24 48:1</p> <p>moved 8:12 11:2 30:19 48:7 75:21 77:5</p> <p>movies 43:21</p> <p>moving 39:8 40:2 44:19,20 86:19</p> <p>multiple 20:12</p> <p>multiplied 18:3</p> <p>multiplier 69:13</p> <p>multiply 76:4,8 78:16</p> <p>multiplying 27:23</p> <p>multi-generati... 58:17</p> <p>municipal 69:7</p> <p>municipalities 71:2</p> <p>Murphy 85:2,2 86:8 89:3</p> <p>M-C-C-L-U-N... 82:14</p> <p>M-U-R-P-H-Y 85:3</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>name 3:7 5:25 10:23 15:13,17 15:18 16:12 18:23 27:6 29:23 30:4,6,17 31:23,25 37:24 38:5 46:9,10,13 49:13,19,21 50:20 51:1,2 54:24 56:11 57:3,7 59:10</p>	<p>62:8 64:15,16 65:14 69:1 70:4 75:5 76:21 79:22 80:2,6 84:12,18 85:1,2 85:3 88:2 89:1</p> <p>names 5:18 15:8 15:9 59:24</p> <p>Nashville 38:16</p> <p>nation 85:18,24</p> <p>national 85:19</p> <p>natural 47:8,9 73:5</p> <p>Naturally 75:24</p> <p>nature 72:22</p> <p>near 66:24</p> <p>nearby 66:4</p> <p>nearing 23:2</p> <p>nearly 12:13,14 12:15 13:23,25 14:17 54:9 68:3</p> <p>necessarily 38:22</p> <p>necessary 73:20 83:21</p> <p>need 28:24,25 31:8 41:10 49:1 52:12 53:19 54:4,16 60:9,11 81:7</p> <p>needed 31:5,10 36:9 39:1 48:23 49:2</p> <p>needing 43:23</p> <p>needs 37:13 60:9 62:23</p> <p>negative 13:6 72:2 74:3</p> <p>negatively 69:20</p> <p>neighboring 16:23</p> <p>neighbors 15:12</p> <p>Neil 29:24 30:1,6 30:6,9,18 88:8</p> <p>neither 90:9</p> <p>neutral 8:22</p> <p>never 16:11 21:17 26:3,8,9</p>	<p>31:18 33:9,13 33:15,25 34:7 45:16 46:17 59:17 60:15 70:24 84:3</p> <p>new 7:16 8:20 11:7,17 12:19 12:22,23,23 16:10 19:12,17 20:11,23 21:2 21:18 22:1 26:16 30:15 31:21,23 32:11 32:19,20 36:16 37:13 52:6 55:18 57:9 61:19 62:25,25 71:23 74:16 75:16 77:5 80:18 81:14,22 82:1 83:19</p> <p>newest 51:15</p> <p>newly 11:14</p> <p>Newman 37:25 37:25 38:1,6,6 38:10 46:3 66:12 88:9</p> <p>news 64:24</p> <p>nice 41:21</p> <p>nicest 45:11</p> <p>night 37:1 86:17 86:18,19</p> <p>nine 7:16 8:10 17:24 20:14,21 21:2,5 24:15,21 25:8,16,17,20 25:21,23 26:1,8 26:21 32:9,15 35:19 36:5,15 47:15 48:14 52:25 53:3,16 53:19 54:4 61:5 63:19 78:11,13 79:3,4,4 81:17 81:23 83:2</p> <p>nineteen 31:1 34:25</p>	<p>Nixon 14:3</p> <p>Noah 44:6</p> <p>noble 65:18</p> <p>non-existent 43:7</p> <p>non-profit 59:14</p> <p>Noranda 1:8,13 2:8 4:12,15,16 4:21 6:16,17,19 6:20 7:16,23 8:1,3,5,18,25 9:2,3,4,18 12:13,14,17,24 13:4 16:15,19 17:9,11,13,16 17:21,25 18:2,4 18:6,7,11 19:22 19:25 20:3,6,9 20:10,19 21:9 21:13,24 22:18 23:23,24 24:17 24:18,23 26:5,7 26:15,18 27:13 27:15,18 28:13 28:18 30:13 31:1,1,3,12,20 31:21 32:4,15 32:17,19,20,23 33:9,12,17 34:1 34:10,12,17,25 35:1,8,18 36:5 36:10 37:10 38:15,16,17,21 44:21,22 45:7 45:10 46:15,23 47:20 48:13,15 48:18,23 49:2,6 49:22 50:5,11 51:5,23,25 52:3 52:14,25 53:1 53:14,18,20 54:13 55:4,14 56:17 57:8 59:3 60:17,19,25 61:4,8,21,24 62:25 63:11,17 66:1,18,21 67:4 67:5,9,19 68:4</p>
--	---	---	--	--

69:15 72:15 75:16 76:3,7 77:6,14,17,22 79:11 80:9,14 80:15,23 81:8 81:10,12,16,20 81:22 82:18,23 82:25 83:9 84:2 85:14 Noranda's 18:11 24:2 32:25 34:15 38:25 60:20 69:8,20 74:1 North 1:23 northern 42:21 northwest 51:7 51:20 nose 29:14 42:17 notes 21:7 notice 35:25 Notwithstanding 73:25 number 17:12,15 24:14 27:24 34:11 35:2 43:12 69:12 71:25 numbers 21:4 42:10 57:14 69:17 numerous 26:4 nurse 41:15 N-E-W-M-A-n 38:7	Oddly 72:4 offer 44:12,14 65:22 80:11 offered 53:5 offering 39:25 51:24 offers 80:22 office 2:15 5:10 5:12 15:22 official 19:10 27:20 65:23,24 officials 19:11,17 21:18 22:1,4,8 22:9,11,13 81:9 Ohio 35:14 46:17 47:5,6 48:5 66:12 oil 48:7,12 Okay 84:14,19 old 16:5 23:1,4 24:17 39:16 79:13 older 40:16 oldest 16:3 Oliver 18:24,25 19:1,6,9 27:4 88:6 once 3:3 43:5 50:17 57:12 60:21 79:2 one's 31:12 79:25 Onus 47:18 on-site 47:8 on-the-ground 25:11 on-the-record 3:4 open 50:16 72:16 opened 12:19 33:17 44:8 opening 3:11 73:2 operate 52:6 58:15 operating 35:10 42:7 51:10 71:6 83:16	operation 13:13 18:6 34:13 47:7 53:4 84:4 85:8 operations 47:4 47:11 57:8 81:3 opinion 72:23 85:22 opinions 81:6 opportunities 9:21 58:7,8 opportunity 6:10 6:24 14:15 24:14 26:13 30:13 52:23 57:6 58:25 59:4 70:9 76:14,15 79:9,15 80:5 82:5,22 84:7,18 option 44:21 options 43:13 optometric 12:17 12:19 optometry 11:2,3 order 28:4 30:14 34:17 75:4 ordinary 15:21 Oregon 51:9 organizations 24:8 32:22 Ormet 46:16,18 47:3,10 48:15 Ormet's 47:6,11 outcome 54:4 90:14 outside 43:25 44:6 70:17 outweighs 83:17 overcome 76:11 overhead 20:1 overs 43:22 overseas 53:19 oversees 67:21 oversight 72:17 over-earnings 4:11 owner 83:12 Ozark 11:19	<hr/> P <hr/> p 25:6 package 14:1 page 22:3 88:2 89:1 paid 8:10 12:24 paint 22:11 pallets 50:6 parents 40:4 44:18,18 park 17:7 31:24 33:14 37:16 73:15 parking 48:18 Park's 31:23 part 22:19,21 30:18 33:9 40:19 42:10 43:16 58:19 66:16 67:8 85:22 particular 6:25 9:1 16:21 parties 5:24 70:16 90:7,10 90:13 partner 14:8 partners 83:24 parts 11:7 54:3 pass 23:13 34:16 45:24 57:18 passed 11:19 71:17,18 73:3 77:25 patrols 28:6 patron 32:3 37:15 patronage 20:18 Paula 84:19 pay 6:13 11:12 21:7 24:6,8,10 25:4,24 26:3 32:18 47:24 63:15,24 80:24 payer 73:19 payers 8:23 82:4 paying 13:4	25:18 31:12 35:18,20 63:16 73:22 78:11 81:23 payment 24:23 payments 32:14 payroll 12:15 13:24 32:7 60:20,24 pays 32:17,19 51:19 53:20 56:19 81:16 peace 24:20 Peaker 44:10 peculiar 73:21 Peggy 64:9 Pemiscot 11:2,6 11:9 12:2,6,20 19:13,18 21:19 22:2 26:17 62:10,13,19 Pendergrass 47:17,17 people 6:12 16:18,20,21 17:5,16 21:11 21:14,16 22:24 23:1,3,6,21,23 23:25 24:4,5,15 25:6 26:21 32:10,12 34:5 35:3 36:8 38:17 40:8,15 43:3,7 45:11,19 47:12 47:16 48:1,6,20 48:21 50:13 58:14,17,18 67:12,25 74:4 75:19,23,23 76:13,13 78:16 79:6 80:23 81:25 82:7 83:2 people's 9:22 23:8 percent 7:21 8:24 9:11,12 13:3 29:3 32:17,19
--	---	---	--	--

<p>34:22 48:24,24 54:8,10 55:13 55:16 60:22 period 76:5 permanently 23:9 Perry 80:8 person 16:3 23:11,12,13,15 23:19 26:22 42:3 82:24 personal 38:17 70:7 82:17 85:22 personally 12:16 16:8 32:4 67:4 74:14 82:20 personnel 58:20 58:23 78:6,7 perspective 39:2 66:18 pervasive 26:20 physical 59:15 60:11 pick 85:4 picked 31:25 51:20 Pierce 39:6 40:1 pie-in-the-sky 25:22 pink 34:8 place 11:4 14:5 14:15 29:10 37:3,7 50:4 53:13 73:9 84:3 86:1 places 20:4 33:21 58:22 plain 29:19 plan 24:8 81:19 planet 45:12 planning 4:7 plant 7:17 8:20 9:4 12:18,22,23 13:2,22 14:4,5 31:2,16 32:6,23 33:4,11,21 34:6</p>	<p>35:17,22 36:4 37:2 38:22 40:24,25 41:4,5 41:7,8,24 42:13 42:20,23 43:1,9 43:11,14,25 45:23 47:7 52:2 52:25 57:16 58:17,19,19,24 59:1 62:25 66:22 74:2,4 75:18,19 79:5 80:21 81:1,15 81:22 85:6,21 plants 41:1 58:21 67:15 79:3 playing 58:6,13 plays 21:8 please 6:4 10:19 15:14 19:3 30:5 46:6 48:18,20 49:16 50:15,15 52:19 54:21 55:25 56:7,10 56:24 59:22 62:5 68:23 69:1 70:4 75:4,7 76:14,21 82:11 pleased 11:24 plumbers 21:1 plummet 20:22 plus 14:10 78:11 podium 3:9 5:19 point 3:15 39:2 39:25 44:8 45:17 46:23 57:15 60:12 63:9,11 77:4,22 85:12 pointed 41:16 points 62:18 64:18 police 55:15 73:17 policy 16:8 74:10 politicians 22:6,7 22:7 25:23</p>	<p>poor 33:8 53:7 65:1 84:5 poorest 7:1,4,6,8 63:7,14 Poplar 66:4 population 12:4 12:5,5 40:13,14 75:20,22 76:1,2 76:6 83:6 Portageville 12:22 27:14,20 27:22 28:7 30:19 32:11 33:12 36:3,16 61:11,12,17 portion 80:13 position 9:2 46:24 74:15 positions 77:8 positive 11:25 18:11 39:2 44:9 74:1 possession 47:9 73:1 possible 28:10 42:7 62:15 potential 42:11 potentially 61:24 pounds 34:22 poverty 23:13,16 23:18 24:5,16 26:22 32:25 53:7 65:2 76:12 power 8:5 9:5 13:5,11,16 31:20 35:13,16 35:24 37:14 42:12,12,14,15 42:19,21 47:8 51:5,15,20,20 52:13 53:15,23 53:25 57:25,25 59:2 64:25 68:4 70:22,23 71:7 72:7,16 77:16 85:10,12 practice 12:17,18</p>	<p>12:19 practiced 11:3 practices 12:25 pray 45:15 prayed 31:18 prayer 37:15 prayers 31:23 precarious 71:4 precedence 74:10 preliminary 3:6 prepared 44:23 63:10 preparing 44:24 present 9:21 26:2 70:9 presentation 14:19 preserve 21:23 president 39:15 43:4 47:2 52:24 69:4 presiding 1:18 62:10 63:4 pretty 69:16 prevent 34:11 previously 73:16 pre-hearing 3:5 price 58:2 77:25 prices 57:23 pricing 57:20 pride 21:11 26:14 Priggel 29:24 30:1,6,6,9,18 66:17 88:8 prior 41:12 private 9:5 privilege 11:6 14:18 probably 8:19 16:18 22:10 39:19 51:13 78:15 problem 45:12 80:22 problems 53:8</p>	<p>proceed 38:13 proceeded 68:7 proceeding 3:4 PROCEEDIN... 1:3 3:1 process 6:14 28:20,21 77:24 producing 78:4 product 16:14 46:14 47:25 51:7 52:2 77:23 production 34:20 34:21,23 68:3 productive 67:25 85:7 productivity 67:11 products 50:5 profit 48:25 profitable 66:19 profits 42:22 profound 36:25 progressing 31:7 progressive 73:20 project 31:13 32:2 projections 25:19 projects 17:25 41:25 58:5 promised 84:3 promoting 73:1 property 17:1 proposal 8:21 9:7 13:21 propose 83:22 proposing 9:11 Prosecuting 19:2 prospered 41:21 protect 8:7 protection 73:15 proud 21:10,15 27:13 50:6 60:13 61:21 84:1 provable 72:11</p>
---	--	--	---	---

<p>provide 24:12,19 25:5 53:10 60:14 61:23 72:19 73:23 74:7 provided 49:23 59:15 62:17 73:12,19 provides 24:18 53:2 72:14 providing 6:10 37:12 83:2 PSC 2:20 8:22 9:8,8,12 54:6 70:8 72:17,18 74:11,15 public 1:2,4 2:15 3:14,16 5:10,13 6:15,22,23 7:25 7:25 9:12,20 20:4 28:23 47:5 71:3 72:24 73:8 74:10 77:13 79:12 86:2 punchlines 26:1 purchase 72:16 purchases 50:6 purchasing 24:3 purpose 34:14 pursuant 72:6 pursue 30:20 pursued 34:18 push 79:10 put 14:5,10 77:11 putting 53:10 P-R-I-G-G-E-L 30:7 p.m 87:2 P.O 2:17,22 5:8 5:13</p> <hr/> <p style="text-align: center;">Q</p> <p>quantity 58:1 quarter 33:23 49:1 question 31:24 questionable</p>	<p>79:23 questions 5:22 5:23,24 7:13 10:12,16,17 14:25 18:15,21 26:24,25 27:2 37:20,21,23 49:8 50:17 quick 7:15 quickly 80:15 quiet 75:11</p> <hr/> <p style="text-align: center;">R</p> <p>rabbit 25:9 Raehder 82:15 Raehder's 82:21 raise 6:4 10:19 11:5 15:15,24 19:3 37:7 38:2 43:17 46:6 49:16 50:23 52:19 54:21 56:7,20 59:8,22 61:13,15 62:5 68:23 82:11 raised 7:21 9:10 40:22 54:5,8 57:11 61:15,17 75:14 raising 58:10 ramifications 20:9 rare 45:21 rarely 25:11 rate 8:6,9,23 9:1 9:2,9 14:10 16:17 20:2 21:25 25:2 35:16 37:14 48:1 52:14 53:21 54:16 74:6 78:10 79:13 81:22 82:4,20 85:20 rates 4:13,16 6:14,18,20 7:21 9:10,16,19</p>	<p>19:23 51:15,17 54:1,8,14 57:25 59:3,3 63:13,16 63:24 71:7 72:10,20 81:11 81:17,18 raw 35:4,6 Ray 85:2,2 86:8 89:3 reached 19:15 reaching 66:2,9 68:11 read 19:15 41:16 41:17 47:1 71:24 reading 3:18,20 85:4 real 7:15 9:21 22:15 25:8,11 25:15,18 26:2 40:9 realities 23:18 reality 17:4,7 21:6,12 25:19 40:9 realize 18:9 23:10 36:19 43:15 realized 31:10 34:12 78:6 really 16:17 65:21 67:2 72:11 reason 36:9 67:16 rebuilding 13:10 receive 44:1 received 9:17 44:12 58:4 59:18 60:25 89:9 receiving 8:4 53:22 recognition 31:22 recognize 59:23 recommend</p>	<p>35:23 record 3:19 13:16 14:20 27:5 69:2 recover 21:15 Redd 64:10,12 64:16,16 65:9 88:19 reduce 58:12 reduced 4:13,16 35:1 53:16 90:8 reduction 20:2 21:25 29:4 35:1 42:3 82:21 referenced 35:12 reflect 66:1 refused 53:25 regard 71:16 72:9 regarding 42:11 43:24 82:23 region 20:6,10,13 21:3,8,10,17 26:21 30:16 31:16 48:11 70:25 74:2 80:16 85:25 regional 21:23 73:14 regions 7:1 region's 26:7 regrets 4:9 regular 84:3 regulations 83:14 85:16 regulatory 1:18 3:8 29:8 72:20 reign 28:24,25 reiterate 79:2 relate 16:6,8 73:24 related 42:4 90:10 relative 42:2 90:12 relatives 40:7 release 47:3</p>	<p>relevant 39:19 reliable 7:18 relieved 41:3 relocate 58:21 78:19 relocation 40:10 rely 20:16,18 remain 35:7 66:19 67:19,19 remained 77:7 84:4 remains 24:16 remark 15:8 remarkable 67:11 remarks 3:6,12 remember 16:6 16:19,19,25 17:1,2 39:15,18 41:6 45:3 reminded 16:11 reminisce 23:3 remnant 24:17 remotely 74:12 removed 33:24 removing 31:8 render 86:23 rendered 82:16 82:25 repealed 71:23 repeat 55:8,20 57:13 replaced 8:19 26:3,10 report 57:4 reported 1:20 9:16 reporter 3:19 30:4 38:5 51:1 62:8 64:15 70:5 74:23 76:22 80:3 90:1,3 represent 7:3 22:16 63:5 82:1 representative 58:16 80:7 82:15,21</p>
---	--	--	---	--

<p>representatives 11:15 15:10 represented 80:13 representing 2:3 2:8,15,20 5:3 11:6 represents 85:13 request 8:6,9 20:5 21:24 37:9 47:6 69:22 74:5 78:10 requested 20:3 21:25 25:7 requesting 6:18 requests 74:16 required 25:3 71:3 requirement 29:9 requirements 29:9 research 71:14 researched 71:15 resent 67:18 resided 73:17 residence 9:9 63:7 resident 36:3 70:11 residential 74:17 residents 31:14 54:8,14 63:5,9 63:14,22 resilient 21:10 resources 67:11 73:18 respect 20:3 72:23 74:14 respectfully 21:24,25 respective 22:14 Respondent 1:12 1:16 response 26:6 responsibilities 73:7</p>	<p>responsibility 68:10,15 rest 12:7 51:17 64:6 71:7 restart 43:9 Restarting 43:13 restate 62:18 restaurant 27:24 restaurants 24:2 restored 13:16 71:1 rests 65:1 result 68:8 resulted 35:11 resumes 18:13 retain 12:9 14:14 14:16 retention 12:10 retired 40:7 46:19 82:18 retirement 24:20 32:14 return 22:21 25:15 54:9 84:4 Revenue 11:9 review 30:17 31:3 71:19 reward 83:17 Richard 43:3 right 3:9 5:16 6:5 8:3 10:19 14:23 15:7,15 38:2 46:6 48:22 49:16 50:23 52:19 54:21 55:3 56:7 59:8 62:5 68:23 82:11 86:1,25 rights 73:7 ripped 23:15 risk 83:17 River 39:10 51:19 66:23 road 23:13 roads 55:15 73:12 Robert 4:6</p>	<p>Roger 18:23,24 44:10 Rogers 32:23 59:13,21 role 80:14 roof 33:14 room 16:3 17:5 39:4 41:15 44:7 45:8 50:14 59:19 rooms 11:22 rooted 37:5 roots 66:16 RSMO 71:22 rumors 42:11 run 26:7 58:9 running 41:18 43:11 Russell 18:24,25 19:1,6,9 88:6 R-E-D-D 64:17 R-1 32:20</p> <hr/> <p style="text-align: center;">S</p> <p>s 90:19 sad 21:12 52:10 saddled 28:18 safe 33:4 53:11 safety 85:16 sage 78:20 saint 32:3 37:15 salaries 32:16 sales 16:13 Sam 31:9,18,19 31:25 save 25:8 64:25 saving 54:13 saw 13:12 50:9 saying 38:14 40:3 80:22 says 12:4 22:5 43:5 scenario 21:7 38:25 scholar 72:21 school 23:17 28:1 30:22 33:15</p>	<p>35:21 43:20,20 48:9 55:16,18 73:10,11 76:2 schools 23:24 26:13 32:20 47:24 53:11,15 scope 74:15 Scott 22:2 26:17 61:19 83:8 scrap 51:12 scrapped 48:16 scrimp 24:10 seat 73:20 second 4:14 8:3 8:21 13:1 35:20 45:6 47:5 53:21 81:16 secret 23:11 53:6 section 71:22 72:5,7 sections 39:3 71:23,24 sector 20:20 sectors 20:13,16 security 24:21 26:13 53:5 see 8:16 9:6 16:17 22:25 23:1,6,12 29:17 31:4 41:14 45:24 46:18 48:5,10,19 53:15 55:19 60:7 61:9 76:5 83:15 seeing 12:25 39:15 54:2 seek 48:2,4 seeking 24:24,25 24:25 34:5 seen 23:9 53:24 70:18 85:6 selection 66:22 self-sufficient 21:12 self-sustaining 21:12</p>	<p>self-worth 26:14 sell 34:16 42:20 Senate 71:18 72:5 Senath 66:15 senator 6:1,2,3,7 6:9 80:13 sends 4:8 sense 9:7 71:8 separation 44:2 Sergeant 46:19 seriously 4:4 9:1 serve 80:6 served 13:18,20 69:7 service 1:2 3:8,16 6:15,22,23 8:1 9:20 14:21,21 20:4 28:23 61:23 62:21 71:3 77:13 79:12 82:6 86:2 services 12:24 24:3 59:18 72:8 serving 20:16 set 43:23 57:21 74:11 78:1 settled 66:13 seven 17:24 39:16 71:2 78:24 Seventeen 55:13 seventy-eight 36:3 seventy-seven 76:3 seventy-three 32:10 seven-year-old 39:17 shame 67:24 68:5 share 45:21,23 69:8 73:22 86:21 Shawn 65:11,15 65:15 66:11,12 88:20</p>
--	--	--	--	---

<p>shed 44:17 50:1 Sheeter 47:18 Shelly 40:21 43:14 44:12,23 45:3,16 79:25 80:4,4,6 88:25 Shelly's 44:5 Sheltered 32:22 50:4 sheriff's 73:16 shift 25:2 32:13 41:6 ships 14:17 shirt 39:18 shocked 42:19 shopping 41:21 shops 24:1 short 11:3 49:21 56:22 75:23 shoulder 68:14 show 34:7 79:14 shown 77:15 shrinking 83:15 shut 21:13 43:11 47:11 51:14 59:3 81:22 shuts 23:24 45:23 si 20:12 side 71:9 signature 22:3 signed 5:17 19:7 19:9,11 significant 9:6 53:8 69:16 significantly 6:19 8:1 sign-up 5:17 Sikeston 16:12 36:17 39:7 45:14 similar 39:5,7 79:13 simple 29:19 simply 8:19 20:11 68:4 single 20:1 23:19</p>	<p>34:14 56:14 70:21 Sioux 45:7 sir 15:14,18 18:22 26:18 27:7 29:25 46:13 49:7,9 50:22 52:16 54:19 56:2,3,25 65:5,10,12 68:19 76:18 79:20 84:23 86:7,8 sisters 40:16 45:12 sit 55:8 situated 69:12 situation 8:7 21:13 25:15 42:15 54:2 71:4 72:13 73:25 six 7:21 9:11 11:23 20:1 46:15 47:12 54:9 sixteen 70:12 sixty-seven 17:23 sixty-six 75:13 six-month 44:1 skill 43:23 skip 71:25 slack 4:18 sleep 37:14 43:21 slip 34:8 slough 74:16 slow 26:20 slowly 31:7 small 22:15 31:9 59:13 61:11 70:21 78:22 85:24 smart 9:6 66:21 smelter 7:16 8:21 20:17 30:15 33:23 37:10 43:5 51:10,13 51:15 58:15</p>	<p>72:15 83:10 smelters 8:2,4 33:18 34:3,4 35:12,19 51:9 51:11 52:6,7 53:20,22 57:20 58:5,6 81:17 85:10 smelter's 35:10 smelting 35:15 43:24 71:21 72:1 Smith 47:18 Snider 54:20,25 54:25 55:3 88:14 socially 40:12 socio-economic 21:17 sold 51:12,13 solid 52:7 somebody 7:10 someday 28:10 someplace 48:5 somewhat 72:25 73:21 son 31:17 35:20 37:1 44:6 sons 40:23 41:20 43:17 79:7 soon 43:19 sorry 37:25 52:10 sort 73:5 sound 26:1 79:24 84:14 south 39:6 40:1 40:13 45:6 66:5 southeast 7:1 10:24 18:12 30:10,14 32:5 33:10 34:10 37:3,5,9,18 48:12 57:10,16 59:16 60:6,10 61:25 66:6 67:6 71:6 74:2 80:16</p>	<p>82:3 83:1 84:6 Southern 11:1 southwest 11:16 11:24 sparse 39:21 speak 6:10 15:21 16:2 18:14 27:11,12 38:19 48:10 52:23 65:14,17 79:15 80:5,9 82:5 84:7 Speaker 6:6 10:20 15:16 19:5 27:8 30:2 38:3 46:8 49:17 50:24 52:21 54:23 56:9 57:2 59:9 62:6 64:13 65:13 68:25 70:3 75:6 76:20 80:1 82:12 84:24 speakers 38:12 69:5 90:6 speaking 38:14 79:2,3 special 14:4 41:25 45:20 59:16 60:9,12 specialized 60:9 specifically 41:6 spell 50:25 51:1 56:10 spend 24:24 27:21 78:23 spends 62:13 spent 25:9,12 41:24,25 44:3 49:25 51:8,25 76:7 78:24,25 spin 44:9 spite 29:14 Spokane 40:6,7 40:14,24 44:13 44:22 45:1 Spokanites 42:24</p>	<p>spoken 15:10 sponsors 84:2 Springfield 11:16,19 77:18 square 60:2 St 1:24 2:6 5:4 10:6 14:6 17:7 31:24,25 32:2 36:14 37:16 staff 2:20 5:6,7 63:11 70:8 staggering 32:7 Stan 52:18,22,22 88:13 stand 49:6 51:4 standing 44:6 47:16 standpoint 29:15 29:16,16 start 3:4 9:5 35:25,25 43:18 76:24,25 77:2 started 5:25 33:16 34:13 36:12 starting 23:2 75:11 77:12 starts 71:20 state 1:1 6:8,25 7:4 11:15 12:1 14:24 22:7 24:24 25:3,6 30:4 33:3 36:11 36:20 38:4 39:7 39:9,24 46:9 52:4 53:7 57:3 62:8 63:7,15 66:10 69:1 70:4 71:22 73:11,13 74:18 76:21 77:18 80:2,6,13 81:5,10 82:5 83:20 stated 36:10 37:1 43:3 59:2 statement 5:21 5:21 36:25</p>
--	--	---	--	--

62:16 86:3 states 7:7 16:23 33:10 34:3 46:19 48:17 51:16 53:20 55:23 66:24 72:6 73:6 79:3 state's 81:24 station 22:23 stations 24:1 statistics 16:7 stay 24:4 44:13 44:14,23 48:22 49:2 58:4 84:5 stayed 14:6 43:8 58:6 stays 63:17 steel 16:13,14 17:22 27:13 50:2 52:24,25 54:1 60:19,24 61:2 Steel's 17:20 Stephen 1:19 3:10 steps 23:17 58:11 stepson 50:3 steward 55:4 Stewart 16:13,13 17:20,22 50:2 Stiles 64:8,9 Stoddard 10:25 19:1,13,18 21:19 22:2 26:17 66:13 69:11 Stoll 1:19 3:10,11 3:13 4:3 10:12 10:13 13:19 14:25 15:1,5 18:16,17 26:25 29:21 37:21 46:1 49:9 50:17 52:16 54:18 56:3 59:6 62:2 64:2 65:6 68:18 69:24 74:20	76:17 79:19 82:8 84:10 86:6 86:11,13 stop 22:22,23,23 78:12 stopped 39:21 stores 20:25 47:25 storm 13:12 70:24 71:1 story 16:10 38:10 38:18 39:1,3,5 45:8,21,23 49:25 straight 74:23 strap 58:9 street 1:23 2:12 4:23,25 28:6 streets 26:19 78:21 Stribble 84:13 strips 50:6 strong 45:5 51:23 52:4 84:6 strongly 52:8,13 77:22 struck 34:18 structural 17:23 struggle 23:21 struggled 40:17 struggles 53:16 Stuble 84:14 students 40:12 76:3 stuff 55:8 stunned 42:19 subject 72:8 subsidized 72:20 74:6 85:11 subsidizing 71:5 substantial 20:14 20:21 61:18 substation 70:20 success 41:23 44:4 69:8 successful 8:20 9:18	suddenly 21:5 42:24 suffer 21:1,4 suffering 18:10 suggest 72:13,25 suggestions 56:23 summed 21:9 sums 25:6 sunny 42:1 super 55:17 supermarket 27:25 supervisor 46:14 supplier 16:14 72:1,3,4 suppliers 72:3,4 supplies 71:16 supply 20:17,25 26:18 support 8:5,8 9:7 20:2 23:5 28:4 29:20 30:11 32:21 36:7 39:22 41:2 51:19 52:13 53:23 56:16,16 56:17 60:16 71:10 77:15 78:9 80:24,24 82:20 83:23 supported 52:8 77:9 82:19 supporter 61:8 supporters 61:9 supporting 83:25 supports 32:15 surcharges 9:17 sure 10:9 22:5 37:1 43:10,18 79:5 surprise 36:11 surprised 18:9 80:19 surrounding 20:24 40:15 survival 62:25	63:2 survive 19:25 24:3 34:17,24 36:21,22 68:7 survived 40:20 53:3 sustain 16:24 sustainable 24:19 25:18 26:14 28:11 41:3 sustained 24:23 sustaining 8:10 10:8 53:2 Sutton 47:17 swamps 36:19 swear 5:19 15:15 19:4 sweet 49:21 56:22 Swinger 10:18 10:23,23 15:4 16:4 62:20 88:4 sworn 6:6 10:20 15:16 19:5 27:8 30:2 38:3 46:8 49:17 50:24 52:21 54:23 56:9 57:2 59:9 62:6 64:13 65:13 68:25 70:3 75:6 76:20 80:1 82:12 84:24 90:5,6 system 13:11 28:2 73:9,15 S-H-A-W-N 65:15 S-N-I-D-E-R 54:25	42:20 46:24 58:11 68:10 74:25 86:22 taken 29:20 64:18 90:7,11 takes 25:6 talents 17:18 talk 13:6 23:12 32:25 46:25 48:23 56:13 57:6 59:11 67:9 77:16 talked 31:2,2,17 34:5 36:2 39:18 59:23 60:6 61:4 67:3 talking 31:11 32:14 64:17 67:1 talks 23:11 Tanjac 47:3 tank 64:4 tax 14:2,4 23:24 25:4,9,11,13 26:12 27:23 43:6 52:4 53:10 64:22 73:12,19 83:20 taxes 24:8 32:18 32:20 47:24 53:16 55:13,16 73:22 80:24 teacher 66:15 team 46:23 47:14 tears 44:18 tech 29:5 Technology 31:7 teens 7:9 telephone 40:5 tell 3:13 5:20 6:21 8:13 10:21 33:20 34:6 38:8 44:16 45:4 46:11 49:6,18 54:24 55:2 64:15 65:2 67:10 84:25
--	---	---	--	---

T

table 53:10
Tacoma 43:1
take 4:3 7:13
8:25 28:17
29:12 30:12

<p>telling 66:3 ten 12:18,22 51:11,21 tenant 17:8 Tennessee 55:24 terrific 13:17 Terry 10:18,23 10:23 15:4 62:20 88:4 testify 84:17 86:10 testifying 65:8 testimony 6:11 7:25 10:14 18:18 37:22 46:2 49:10,12 50:18 52:17 54:6,19 62:3 65:7,19 66:17 68:19 69:25 70:9 71:15 74:21 76:18 79:20 82:9,16 82:21,25 84:11 84:22 86:7,20 90:6,7 th 35:19 thank 3:24 6:7 6:10 9:23 10:10 10:11,14,16 14:18,24 15:1,4 15:20 16:1 18:13,17,20,22 22:18 26:23,25 27:3,9,10 29:21 29:22 30:3,8,10 37:19,21 45:25 46:1 49:6,9,11 50:16,18,19 51:3 52:15,16 52:22 54:16,18 55:1 56:1,2,3 56:12,24,25 57:6 59:4,5,6 62:1,2,7,10 63:24,25 64:2,5 64:14 65:4,5,6</p>	<p>65:9,10,16 68:14,16,17,18 69:23,24 74:19 74:20 76:15,16 76:17 77:12,14 79:15,16,18,19 79:21 80:4 82:6 82:8 84:6,8,9 84:10 86:4,5,6 86:13,24,25 thanks 57:6 therapists 60:3,4 therapy 59:16 60:12 thereof 71:23 thereto 90:13 they'd 13:13 14:11 thing 9:25 22:22 32:5 33:12,24 34:19,24 35:4 37:13 40:3 44:25 46:25 55:10,19 68:6 79:8 things 7:14 39:18 50:1 57:16 58:2 64:21 65:22 66:18 69:17 think 7:8,10 26:7 30:16 31:3 33:4 33:10 34:1 35:6 36:12,12,14 39:1,19 41:9 52:1 57:14 63:17 66:7,8 67:3,4,7,10,22 68:4 69:16 79:23 86:1,18 86:19 thinking 66:20 third 13:1 23:11 23:12,13,16,18 26:22 33:7 35:10 51:10 68:3 77:17 85:10</p>	<p>thirteen 51:11 thirty 75:22 82:18 thirty-eight 77:8 thirty-five 11:4 15:9 46:15 thirty-nine 40:22 Thirty-six 49:23 thirty-three 67:6 thirty-two 34:2,2 34:12 Thomas 47:18 thought 16:2 31:14 33:12 34:6 38:15,25 40:2 41:7 43:10 46:17 59:2 77:2 77:21 thousand 12:13 13:23 51:21 54:1 60:19 61:16 thousands 28:3 threaten 81:22 three 3:17 12:25 16:9 33:2,5,8 34:19 39:3 40:23 42:10 46:20 47:13 55:5,6,17 56:14 70:14 71:3 75:21 76:3 Three-hundred 42:25 thrive 14:7 thrived 14:6 tied 85:9 ties 81:25 Tim 44:11 47:18 68:20,22 69:3,3 88:21 time 7:7 8:16 9:23,24 11:3 13:16,17,17 15:23 17:5,10 17:25 19:16 22:19 26:23</p>	<p>27:21 39:12 40:18 41:5,5,11 41:13,24,25 42:1 43:11 47:13 48:15 49:4,25 51:9 52:10 54:16 57:10,12 59:15 60:5 74:19,21 75:18,20,24 76:5 77:4 80:16 86:21 times 18:3 25:9 60:8,10 69:13 76:3 78:24 85:18 today 3:17 4:5 6:11 9:24 12:5 19:19 27:11,20 31:8 33:6 39:20 45:23 47:15 49:5 50:8 51:4 75:22 82:23 84:8 togethers 70:17 told 11:17,20,22 39:1 55:12 Tom 2:4 5:2,2 tonight 4:7 14:19 16:2,6 35:18 37:15 38:12 40:19,22 45:15 47:1 50:11 52:23 57:7 58:15 59:12,19 59:23 60:7 61:4 61:10 62:11,14 62:16,24 63:3 64:1 65:17 69:6 71:13,20 77:13 79:16 82:16 top 7:7,8 9:18 33:5 36:18 47:13 topic 42:4 torn 51:12 tornado 13:8</p>	<p>total 32:17 tough 11:10 34:23 35:4 82:4 toughest 34:24 tour 11:15 toured 11:16 touted 25:22 town 31:9 39:7 61:11,11,12,16 64:4 66:13,14 transaction 72:6 transcript 1:3 90:5 transfer 40:6 transferable 44:1 transferrable 43:25 transition 47:7 travel 73:12 traveled 33:17 46:20 65:24 traveling 70:25 treasure 45:21 treat 59:24 60:5 61:13,18 treated 59:20 tremendous 62:21 trespassers 43:9 trials 40:20 tribulations 40:20 trickle 16:25 tried 35:15 58:4 trips 43:21 trouble 35:25 53:18 85:4 truck 13:15 48:8 trucks 52:1 true 73:11 truly 68:15 trusted 42:17 truth 5:20,20 try 16:23 39:20 57:24 66:19 67:19 68:7 69:6 trying 41:12 81:3</p>
---	--	---	---	---

tuition 24:11	43:23 51:22	32:8 77:11 78:7	55:23 56:13	75:11
turn 44:14 45:4 78:23 79:1	unemployment 48:9 53:17	78:10	57:13,15 58:12	we're 3:4 4:10
turned 16:3	85:20	values 17:1	58:13 62:17	7:9,10 10:7
twelve 32:2 42:23	unfortunately 34:15 35:9	varying 22:13	63:4,10 64:2	12:25 15:23
twenty 29:12	54:10 63:6,8	vehicle 44:25	65:1,2,6,25	32:14 39:20
twenty-eight 55:4,16	union 1:11,15	vendor 16:14	68:11,13 71:19	55:25 56:18
twenty-four 34:11	53:23 58:16	vendors 20:16	76:13,14,25	57:17 59:13
twenty-seven 69:10	61:3	58:22	79:2,5 84:16	60:13,21 61:21
twenty-three 34:2 35:12	unique 39:4 45:8 45:8	viability 7:15	85:4 86:13	69:13,15 74:24
twenty-two 34:22	unison 22:4,12	viable 33:20 37:11 85:7	wants 6:13 24:12	79:2,3
twice 33:18	United 7:6 32:21	vice 43:4	War 41:1	we've 7:8 12:13
two 3:9 4:10 7:14 8:4 9:14 11:21	34:3 46:19	view 39:3	Washington 39:24 40:2,6	13:2 15:8 34:20
16:8 17:22 18:6	48:17 51:16	Vincent 27:6,10	66:11	45:10,11 52:25
19:14 22:11	52:24 53:20	29:3 88:7	wasn't 6:19	58:4,10,11
24:4,5 29:13	66:24 73:6 79:3	Virginia 84:13	77:11	60:14,15 61:22
33:8 39:18	universal 26:6	virtually 85:12	watched 43:9	61:23 74:22,23
40:15,19 46:21	University 11:1	vision 17:6 45:25	73:16	75:23 76:12,25
49:21 51:8,11	30:25	visit 80:14	wave 13:15,15	79:1 86:19
53:22 55:6	unsuccessful 35:16	visiting 6:12	way 8:7 18:9	wholeheartedly 82:1
56:15 59:25	unsustainable 13:5	vital 13:2 33:9	21:23 28:22	wide 51:25 80:23
63:18 71:23	unthinkable 19:21	Volume 1:7	29:17 32:13,21	85:24
74:22 83:17	unwavering 26:6	volumes 71:10	36:17 39:4	wife 24:22 38:13
type 8:4 31:10	upgraded 70:21	vote 14:1	45:14 48:16	39:8 40:21
types 58:14	urge 69:21	voters 28:21	60:11 62:15	46:22 78:14
typewriting 90:8	urgency 63:17	Vuylsteke 2:10 4:24,24	67:3	William 44:11
T.V 79:13	urgent 63:2		ways 16:9 20:12	willing 10:9 23:5
	USA 79:4	W	58:9 61:14	24:18 29:11
U	usage 51:18	W 46:10,14	70:21 81:4	68:14
UE 85:13	use 35:5 42:5 57:25 77:19	wage 11:13 24:1 24:19 25:19	85:20	willingness 73:2
ultimately 71:9	uses 77:17	26:14 28:11	wealthy 24:9	win 31:20
Um 56:13 64:17	Usually 17:24	51:24 68:1	weeks 42:16	wise 35:23 37:17
uncle 66:13	utility 47:5 51:19 63:16,24	wages 25:1 32:16 59:1 80:21	44:20 71:3	66:21 68:13
uncles 45:13	U.S 8:2 58:7 79:10 81:17	walk 35:3	welcome 3:21 4:4 6:8,9 30:9 46:3	wish 11:25 38:13
understand 6:13 28:15 29:10		walks 22:16	77:14	wishing 4:12
30:15 67:2,7	V	walls 22:12	welfare 36:11,20 48:10	witness 83:19
68:3 73:22	V 1:10,14	want 3:5,11,21 9:24 10:13	well-being 19:20	women 47:20
understandable 19:24	Valley 48:6	14:18 15:1,8,20	well-read 86:20	wondered 43:3
unemployed	value 6:17 8:9	15:24 16:1,6,8	Wenatchee 40:25	wonderful 14:15 73:6
		16:17 22:18	went 11:16 33:15 38:13 41:20	wondering 80:8
		26:6 27:10	43:6 44:20 50:8	wood 50:5,6
		29:10 45:21	60:18 61:21	Woodruff 1:18
		48:3 50:18	weren't 23:6	3:3,7,24 4:6 5:1
			we'll 4:19 74:25	5:5,10,15 6:2,4
				6:6 10:11,15,17
				10:20,21 14:25

15:7,14,16,17 15:19,23 18:15 18:19,21 19:3,5 19:8 26:24 27:3 27:7,8,9 29:1 29:23 30:2,3,8 37:19,24 38:2,3 38:4,8 46:4,6,8 46:9,11 49:8,13 49:17,18 50:20 50:24,25 51:3 52:15,18,21 54:20,23,24 55:1 56:2,4,7,9 56:10,25 57:2,3 59:5,7,9 62:4,6 62:7 64:8,13,14 65:5,10,13,14 68:17,20,23,25 69:1,23 70:1,3 70:4 74:22 75:4 75:6,7,10,12 76:16,19,20,21 79:18,22 80:1,2 82:10,12 84:9 84:12,23,24,25 86:5,9,25 word 21:9 78:13 words 8:18 work 10:9 11:5 16:13,24 17:23 23:5,25 24:19 30:25 31:13 32:13 33:16 34:4 36:8 39:10 39:21,21,23,23 41:20 42:5,23 44:3 48:6 51:5 51:22 55:25 57:12 58:12,17 67:12 74:4 75:24 76:14,14 80:18 worked 17:13,15 31:1,19 38:21 38:23 39:11,13 44:9 47:20	49:22 51:13 55:7 57:8 58:10 58:18 80:12 worker 27:13 39:10 40:5 workers 22:16 27:24,25 39:24 51:22 52:24 53:1,17 54:1,4 55:5,20 58:16 60:24 61:5 67:16 73:4 working 13:9 17:25 21:11 22:25 35:22 40:24 41:23,25 42:3 44:11,21 48:20,22,22 51:8,10,24 67:25 76:13 79:7 81:2 works 50:2,4 58:19 60:19 61:2 64:24 67:5 Workshop 32:22 50:5 world 22:20,22 25:18 39:15 41:1 46:20 52:9 57:20 78:2,3 79:11 85:10 worn 41:12 worse 7:11 worth 86:19 wounded 83:12 wrenching 65:18 write 19:19 wrong 40:5 <hr/> Y Y 1:19 year 9:20 10:3 12:15 25:3 26:10 29:6 31:13 32:9 34:21 46:16,24 48:3,4 59:24	60:18,18 61:16 63:14 73:12 yearly 32:7 55:11 years 7:22 9:11 9:14 11:4 12:18 12:23 13:4 16:15 17:14 18:10 20:1 27:16 29:12,13 30:19 31:1 34:2 34:25 36:1,3 37:6 39:6,16 40:21,22 41:12 41:20 48:17 49:4,23,24 51:8 53:4 54:9 55:4 55:7 57:9,17 59:14 60:15,23 61:2,22 67:6,24 67:25 69:7 70:12,13 72:18 75:13 76:2 77:9 78:3 79:6 80:20 81:2,6 82:18 83:7,18 84:1,5 85:19 yellow 23:17 young 16:21 23:1 30:21 39:12 younger 40:16 youngest 44:6 y'all 64:18 86:25 <hr/> Z zeros 76:9 <hr/> \$ \$100 9:13 54:12 \$16 69:14 \$20 63:13 \$200,000 61:2 \$26,000 10:2 \$27,000 61:3 \$3 67:17 \$3,000 61:3 \$300 12:15 13:25 76:7	\$302,000 61:4 \$304 32:24 34:20 \$370 43:2 \$38 48:25 \$40,000 60:20 \$44 20:1 35:14 81:14 \$494 54:5 \$50,000 61:17 \$500 9:17 \$500,000 32:21 \$57,000 10:5 \$7 76:8 \$74,000 60:25 \$80,000 10:6 26:10 \$95 36:6 <hr/> # #565 1:22 <hr/> 0 06 13:14 09 13:11,14 <hr/> 1 1 1:7 27:5 89:10 1st 40:23 1,000 52:1 1.8 8:23 10 7:7,8 9:11 33:2 39:6 40:10 48:24,24 54:10 60:21 61:15 63:13 88:4 10,000 11:21 100 30:19 105 34:22 11 59:25 11th 1:23 110 17:22 1150 35:2 12,115 12:4 12-hour 32:13 1200 42:24 13 60:3 1300 26:9,11	136 32:9 14 32:12 43:22 145 80:7 147 27:22 15 61:16 88:5 1500 75:23,24 158 32:17 16 69:7 17,000 60:2 17.9 32:17 18,000 12:6 1800's 66:12 19 88:6 1900 12:4 1901 2:5 5:3 1946 41:4 1950 12:4 1960 31:6 1960's 17:4 1962 39:16 1967 31:15,21 1969 76:25 1970 77:3 1972 40:21 1974 40:24 1978 49:23 1979 85:6 1989 73:9 1997 34:13,20 1998 70:11 <hr/> 2 2.1 76:9 2.63 72:6 20 57:9 60:4 20/20 41:14,17 2000 42:11 75:16 2001 43:22 2002 44:3,5 2003 38:21 39:9 44:22 71:17 72:5,14 2004 11:8 2006 13:8 75:20 2008 70:23 82:18 2009 9:17 54:6 81:14
---	--	--	---	--

LOCAL PUBLIC HEARING 6/9/2014

<p>2010 14:3 83:6 2012 11:8 2013 47:2,4 2014 1:5 49:1 2064 70:10 221 2:12 4:22,25 2360 2:22 5:8 24 34:15 240,000 40:14 25 60:4 75:15 25th 6:9 27 44:5 88:7 89:10,10 28 32:12 44:23 70:23 28.7 32:19</p> <hr/> <p style="text-align: center;">3</p> <p>3,000 11:20 33:14 40:14 30 29:3 45:6 51:8 88:8 330 75:19 350 45:9 3600 78:16 38 88:9</p> <hr/> <p style="text-align: center;">4</p> <p>4th 47:3 4,250 75:23 40 60:15 400,000 40:15 41 40:25 43 7:21 13:3 45,624 12:5 46 9:10 54:8 88:10 49 88:11 491026.4 71:25</p> <hr/> <p style="text-align: center;">5</p> <p>5,750 75:20 50 75:15 88:12 52 88:13 54 88:14 55 39:6 555 72:5</p>	<p>556 71:18 56 88:15 565 90:4 57 88:16 59 88:17</p> <hr/> <p style="text-align: center;">6</p> <p>6 88:3 60 32:12 60's 41:5 62 88:18 63101 1:24 63103 2:6 5:4 64 88:19 65 65:24 88:20 65101 2:13 65102 2:18,23 5:9,14 66 55:10 68 88:21</p> <hr/> <p style="text-align: center;">7</p> <p>7.6 32:15 70 65:24 88:22 711 1:23 720 2:17 5:13 75 88:23 76 88:24 7686 52:24</p> <hr/> <p style="text-align: center;">8</p> <p>8:35 75:1 8:56 87:2 80 88:25 82 89:2 84 89:3</p> <hr/> <p style="text-align: center;">9</p> <p>9 1:5 900 35:2 48:20 91.03 71:22 91.030 71:24 95 32:8 991.026 71:24</p>			
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