

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
TRANSCRIPT OF PROCEEDINGS

Public Hearing

October 4, 2006

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St. Louis, Missouri

Volume 2

In the Matter of an Investigation of)
Union Electric Company d/b/a)
AmerenUE's Storm Preparation and) Case No. EO-2007-0037
Restoration Efforts in Eastern)
Missouri)

COLLEEN M. DALE, Presiding,
CHIEF REGULATORY LAW JUDGE
DOUGLAS HEALY,
STEVE GAW,
ROBERT M. CLAYTON III,
LINWARD "LIN" APPLING,
COMMISSIONERS

Reported by: Yvonne N. Gallagher, CCR No. 895

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4 Mr. Lewis Mills

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7 Ms. Debbie Bernsen

 Ms. Beverly Faulkner

8 Mr. Greg Ochoa

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10 AmerenUE staff:

11 Mr. Eric Abbott

 Mr. Doug Bore

12 Ms. Tina Shannon

 Mr. Dave Sinclair

13 Ms. Wendy Tatro

 Mr. Dave Wakeman

14 Mr. Warren Wood

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2 PROCEEDINGS

3 JUDGE DALE: If we can go on the record. Good
4 afternoon. It is Wednesday October 4, 2006. My name is
5 Colleen Dale, I will be conducting this local public
6 hearing portion of this meeting. This is a local public
7 hearing in case number EO-2007-0037 in the matter of
8 investigation into AmerenUE's storm restoration efforts.
9 The purpose of the local public hearing is for the
10 Commission to take testimony from local citizens concerning
11 AmerenUE's storm restoration efforts.

12 If you wish to testify you should add your
13 name to the list of speakers who will be called to testify
14 in the order in which they signed up. If you wish to
15 simply agree with the previous speaker you can say that or
16 you can agree with much of what has been said but add your
17 own experiences.

18 For everyone, both those who testify and those
19 who do not, you can submit public comments in writing to
20 the Public Service Commission at P.O. Box 360, Jefferson
21 City, Missouri, or through our website at www.psc.mo.gov.
22 If you have written remarks prepared already please give
23 them to the court reporter after you testify.

24 Please keep in mind that this is a formal
25 hearing. Those wishing to testify will be sworn in. There

1 may be questions with the Commissioners or me. The court
2 reporter will record your testimony. It is very important
3 that the person testifying be allowed to testify without
4 interruption or distraction. I ask all of you who are
5 listening to be quiet during the testimony so that we and
6 the court reporter can hear.

7 Finally, please keep in mind that this hearing
8 concerns only storm restoration efforts, although other
9 service issues have been discussed here may also come up.
10 This hearing is not about fuel surcharges. That hearing
11 was held last month. This hearing is also not about
12 AmerenUE's proposed rate increase. We will back for a
13 series of hearings on the rate increase later this fall.

14 At this hearing we want to hear your own
15 experience with the storm restoration efforts and your
16 belief about what should or could have been done to avoid
17 the loss of electrical service or bring the service back
18 more quickly after interruption. With that I'd like to
19 call our first witness.

20 COMMISSIONER CLAYTON: Just a few
21 introductions, if possible. My name is Robert Clayton.
22 I'm one of the -- one member of a five member Commission in
23 Jefferson City, the Public Service Commission. We also
24 need to recognize -- I'm sure the Ameren folks have been
25 recognized. Is anyone from Ameren here today?

1 MS. TATRO: Ameren has several people here.
2 My name is Wendy Tatro. We have Dave Wakeman, we have Tina
3 Shannon, Eric Abbott, Doug Bore and Dave Sinclair today.

4 COMMISSIONER CLAYTON: Thank you. And is
5 anyone from -- I know we have Public Service Commission
6 staff that are here. Could they identify themselves,
7 please?

8 MS. BERNSEN: Debbie Bernsen with staff.

9 MR. OCHOA: And Greg Ochoa with staff.

10 MS. FAULKNER: Beverly Faulkner with community
11 service.

12 MR. OCHOA: And you meet Mr. Wood and he is
13 outside talking to one of the people. He'll be around as
14 well.

15 COMMISSIONER CLAYTON: We also have the public
16 counsel here. Lewis?

17 MR. MILLS: Lewis Mills, public counsel's
18 office.

19 COMMISSIONER CLAYTON: The reason why I wanted
20 to identify those folks perhaps a second time is that as we
21 work through the testimony here today we're going to stay
22 as long as we need to to take all the testimony, but if
23 there's a particular issue or a problem that's ongoing
24 right now feel free to reach out to any of these
25 individuals. You can step outside, work on an issue while

1 we're taking testimony.

2 Last night we went for about four hours and
3 there was a lot conversations, hopefully some problems that
4 were being resolved that were out there. I appreciate
5 everyone coming out today. This testimony is going to be
6 included in this investigation.

7 A lot of these stories that we already started
8 hearing about here today sounded awfully familiar with what
9 we heard last night in a completely different part of the
10 metropolitan area. So I appreciate you being here. We're
11 here to listen to you. Tell us what you feel is important.
12 We may have some questions for you. That's all I have to
13 say. One of the other Commissioners may want to say
14 something.

15 JUDGE DALE: Let me also introduce the other
16 Commissioners. This is Commissioner Steve Gaw,
17 Commissioner Clayton, this is Commissioner Appling and this
18 is Doug Healy who is the personal assistant to the
19 Chairman, Jeff Davis, who is not able to be here today.

20 COMMISSIONER CLAYTON: Thank you. And I don't
21 want to spend too much time but I do want to say thanks to
22 all of you who are here today. This is a really important
23 part of this process to get firsthand information about
24 what you all experienced, especially during July, but it is
25 not limited just to that experience, as you all have

1 already been talking about before the official proceeding
2 started on the record.

3 It's really important to come back with that
4 information again so that we can get it on the record so it
5 can be considered. So if you have -- as we're going
6 through this process if you have any thoughts that -- in
7 regard to other matters other than just dealing with the
8 electric issues that came up that during that time frame of
9 the storm we want to hear about that too.

10 There was some discussion last night in regard
11 to water service and boil orders. I don't know if it
12 impacted any of this area around here but if there was
13 information in that regard we want to hear about it.
14 Anything dealing with difficulty in communication, in
15 getting ahold of people, and the back and forth nature of
16 trying to find out information would be very helpful as
17 well.

18 So in any event, we're here to listen and we
19 very much appreciate you all taking the time away from your
20 very busy schedules to be here. Thank you.

21 JUDGE DALE: Mr. Cohen. Will you please raise
22 your right hand?

23 DAVID COHEN,
24 after being first duly sworn to tell the truth says as
25 follows:

1 JUDGE DALE: Please proceed.

2 MR. COHEN: My name is David Cohen, I live on
3 Leigh Lane in Maryland Heights in Creve Coeur Meadows
4 subdivision. We've resided there for about six years now;
5 we've been in St. Louis for seven years. I'm originally
6 from Buffalo, New York, where we benefited from a lot of
7 wonderful hydroelectric power from Niagara Omaha. Prior to
8 coming to St. Louis we were in the western North Carolina
9 --

10 UNIDENTIFIED SPEAKER: We can't hear.

11 MR. COHEN: Can you hear me now? Do you want
12 me to start again?

13 JUDGE DALE: Yes, please.

14 MR. COHEN: My name is David Cohen, I live at
15 12409 Leigh Lane in Maryland Heights in the Creve Coeur
16 Meadows subdivision. We've lived there for about six
17 years; we've been in St. Louis seven years. Prior to that
18 we lived in Asheville, North Carolina, in the mountains
19 where we had two power outages in five years even in spite
20 of ice storms and everything else and prior to that I lived
21 in Buffalo, New York, my hometown. We had hydropower.
22 Very, very rare power problems. I lived in New York City
23 for six years; never a power outage. I lived in Caracas,
24 Venezuela for two years; three power outages.
25 My experience with the storm in July, my

1 family's experience, was that we were, I think, relatively
2 fortunate. We lost power the night of the 19th and we were
3 back in our home on the 23rd. It's a rare thing for us to
4 be able to go home before a lot of other people. We have a
5 long history of frequent power outages ranging from a
6 matter of seconds to a few hours at a time.

7 Between April of this year and the July storms
8 we had five significant power outages, three which required
9 us to go to hotels. We have had to expend hundreds and
10 hundreds of dollars on hotel bills. I rely on power when I
11 sleep because I use a C-pap machine, which is for sleep
12 apnea. I don't have the option of toughing it out at home.

13 As a matter of fact, the night that the storm
14 hit I had had a sleep study done that morning, previous
15 night, I should say, and was due to get a new machine and
16 then the storm hit and my machine didn't work. I could not
17 find a place to stay. I stayed awake for twenty-seven
18 straight hours. I went out to Denny's for breakfast at
19 3:00 in the morning. I drove around to see damage in other
20 parts of the area. I did anything I could to stay awake.

21 We finally were able to get a hotel room
22 nearby the next morning. And I can tell you, aside from my
23 own medical needs, we have a mentally retarded sixteen year
24 old daughter who is terrified now when the power goes out,
25 even when the storm clouds gather, starts to rain. She's

1 worried we're going to have to leave the house, we're going
2 to have to leave the dogs at home.

3 It has a significant impact psychologically on
4 people who have debilitating conditions and so it's a very
5 scary prospect in a number of ways. We lost hundreds and
6 hundreds of dollars worth of food from our refrigerator.
7 In the five -- in these months that I just mentioned twice
8 in a single five week period we wound up going to hotels
9 because of loss of power.

10 I would say during the week on an average
11 basis we experience at least five or six little glitches.
12 Not always necessarily enough to require resetting
13 microwaves and clocks and that sort of thing but I do hear
14 the power backup on my computer click on and off maybe two
15 or three times in the space of a couple of minutes. So
16 obviously there's a sag in the voltage somewhere.

17 The tree situation on my street I can't say
18 has been a huge problem. A couple of times, yes. But I
19 live in the same division as my neighbor here and my
20 neighbors across the street always have their power. It
21 doesn't matter what caused it, whether it's a beautiful day
22 with no storms or something like we had in July, we lose
23 power.

24 Folks behind me have theirs, the folks across
25 from me don't have theirs. There's about seventy-five to a

1 hundred homes in the subdivision that lose power regularly
2 and we can't seem to get an adequate explanation. My wife
3 managed to get through to a couple of human beings at
4 Ameren. The only things I have here, she spoke to a
5 Mrs. Adams who explained that the situation where we're
6 losing power and everybody else isn't is unusual and that
7 it would be repaired. Well, it hasn't been repaired.

8 Another name she mentioned to me was someone
9 at Ameren named Richard Mark. I don't know if that name
10 rings a bell with anybody or not. But we have lost a lot
11 of money. I have to worry, you know, in the middle of the
12 night are we going to have -- this is a significant problem
13 that just -- I don't think I have the real total of what
14 it's cost us overall but in the six years it's ongoing and
15 we never seem to get an adequate answer.

16 I too have spoken to Richard Gold, who is our
17 ward 1 councilman in Maryland Heights, about this. So he,
18 I know, has been approached by at least us two and probably
19 others as well. In terms of reaching Ameren, if the line
20 isn't busy you get the recorded message. Half the time
21 they couldn't say when the power might be restored and it
22 wasn't just in the case of the July storms. It's at other
23 times as well.

24 I think there's definitely a customer service
25 issue at play here. People at least need to reassert us.

1 It's a lot easier to bear up with a problem if you feel
2 that there is empathy coming from the company. And having
3 worked in business before I know the value of that, you
4 know, when I would take care of my customers and I feel
5 that there's something lacking.

6 It's a very impersonal approach. It's very
7 hard to get through to a human being. I don't even think
8 there's a main number published for Ameren that I'm aware
9 of. There's the emergency number, the 342-1000. It's
10 frustrating. I'm fifty-one years old and I've never lived
11 anywhere else where I've had this number of problems or
12 severity of problems. It's very, very frustrating.

13 In terms of, you know, making up for our
14 losses. The IRS said that it had to equal 10 percent of
15 our adjusted gross income and the area has to be declared a
16 national disaster area. Well, we got the national disaster
17 qualification but it didn't reach our 10 percent of our
18 gross adjusted income.

19 And I tried the first night to get myself into
20 a place where there was electricity so I could sleep. The
21 police -- I told -- I called the police station. I said
22 I'll sleep in a jail cell if necessary. They said we don't
23 have power. We're running the phone system on a backup
24 generator, you know.

25 Hospitals wouldn't admit me unless I could get

1 an order from my physician. Well, I couldn't get to my
2 physician. I tried calling, the services were having
3 problems with their own power. It was a mess. So there's
4 a lot of ancillary damage that accrues as a result of this
5 ongoing situation.

6 So I appreciate the opportunity to speak and I
7 hope that Ameren will be a little more proactive. It seems
8 to me there are definitely equipment issues. I don't think
9 trees alone are the answer. I think perhaps there has to
10 be more preventative maintenance but I'm not an expert in
11 those things. I've said my peace and I appreciate it.
12 Thank you very much.

13 JUDGE DALE: I have a couple of questions for
14 you and the Commissioners may also.

15 MR. COHEN: Yes.

16 JUDGE DALE: The first one is you were talking
17 about being able to reach other people besides Ameren. Did
18 you have difficulty with your phone service? Were there
19 lots of busy signals? Did you get fast busies or anything
20 like that?

21 MR. COHEN: No, we never lose phone service.
22 I rarely lose cable. It usually happens when they're
23 working on, you know, somebody's connection up the street a
24 bit, but you expect that. But no, we've never lost any
25 other of our utilities when we lose power.

1 JUDGE DALE: The other question that I have is
2 do you know if Ameren has you marked down as someone with
3 special needs?

4 MR. COHEN: They should. Maybe I -- I don't
5 know if I have to -- I know I did -- I first started the
6 using the machine -- well, I had it when we moved here but
7 I think you have to -- do you have to renew that, the
8 medical every so often? Can somebody tell me?

9 UNIDENTIFIED SPEAKER: Yes, it's annual.

10 MR. COHEN: How often?

11 UNIDENTIFIED SPEAKER: It's annual.

12 MR. COHEN: Annual. I may have overlooked
13 that part. But I'm not so sure that having that
14 designation would have done any good to begin with.

15 JUDGE DALE: I know that they have -- they
16 have their priorities. They want certain -- you know, they
17 have to get certain big --

18 MR. COHEN: I understand hospitals and things
19 like that but --

20 JUDGE DALE: Right.

21 MR. COHEN: But see, that's why I'm a little
22 skeptical. You know, even if I would be the only customer
23 out would it really make that big of a difference? I mean,
24 you know, it can take thirty-six hours to get tree trimmers
25 out. It isn't exactly, you know, a confidence builder.

1 But I will make sure that I am registered and then I'll
2 have one more leg to stand on, I suppose.

3 JUDGE DALE: Thank you.

4 MR. COHEN: Thank you very much.

5 COMMISSIONER GAW: Thank you. First of all, I
6 want to clarify that last point, and I don't know where
7 Warren went but is he still in here? I want to clarify the
8 inference in that last question with Warren or someone else
9 because there's an inference in that question that that
10 actually -- by getting on that list that actually does
11 something about getting the power restored.

12 I want that clarified because I don't want to
13 create any false expectations about current policy on that.
14 We'll come back to that as soon as -- Warren, I have a
15 question for you.

16 MR. WOOD: Sure.

17 COMMISSIONER GAW: There was a question just
18 raised about whether or not this gentleman was on the list
19 of people with medical issues. What I want to know is
20 whether or not Ameren's policy currently is if they will
21 put people back on if they have -- if they are on that list
22 if they'll put people back on because of it?

23 MR. WOOD: No. The medical equipment registry
24 is a means of identifying the customers who have medical
25 equipment needs. The notice letter for signing up and the

1 notice letter of confirmation indicated that it doesn't
2 provide for priority of restoration.

3 If they're already on a street doing certain
4 types of work and they have that house tagged it may get a
5 little faster service than it would have otherwise but it
6 is not an overall prioritization of service to those
7 customers.

8 MR. COHEN: Something tells me a twenty and a
9 six-pack would get the job done quicker.

10 COMMISSIONER GAW: So in any event, I wanted
11 to make sure that was clear because that was my
12 recollection and I didn't want to create something that was
13 --

14 MR. COHEN: No, no. My understanding was that
15 it does not in fact really make that big of a difference.
16 It makes them aware but not --

17 COMMISSIONER GAW: The point of it is, though,
18 that it is an issue that ought to be discussed because it's
19 at this point it doesn't appear that it creates much of an
20 advantage and it's very disturbing when we get calls from
21 people that have a very serious medical condition and they
22 are under an impression that they're going to get or may
23 have a chance of getting power restored earlier. We need
24 to have that discussion and I appreciate your bringing it
25 up.

1 MR. COHEN: I think it would be especially
2 important when there's not a general outage problem. If
3 someone is, you know, of a small group or something like
4 that I would expect -- I would hope there would be some
5 sense of prioritization because of a medical need.

6 MR. WOOD: Where it comes more into play is
7 where there's some sort of a planned outage being done.
8 They know they're going to be doing some work in an area
9 and they know they have a medical equipment registry
10 customer in an area they can sort of put that customer up
11 front instead of it being them planning the ones it doesn't
12 --

13 MR. COHEN: I know. But folks like us plan to
14 go to sleep every night too. We need our equipment and it
15 really is, you know -- when it's a potentially life
16 threatening situation -- I mean I'm on the verge of, you
17 know, spending some bucks to get a natural gas powered
18 backup generator, I'm talking like a major generator,
19 because my confidence is pretty much gone at this point.

20 COMMISSIONER GAW: We had one gentleman last
21 night that had made a purchase because of some of the same
22 reasons that you're bringing up. Let me ask you another
23 question if I could?

24 MR. COHEN: Yes.

25 COMMISSIONER GAW: In regard to your

1 neighborhood, I want to know whether there's a way that
2 those of you who are here that are experiencing this
3 regular problem on unreliability, can you provide us with
4 some sort of a sketch of the area that might be available,
5 a plat or something that could give us a pretty good idea
6 about what houses are being impacted by this reliability
7 issue?

8 And if you don't have it today I realize that
9 bringing something like that here was probably not
10 something you'd anticipate, but if you could provide that
11 to our staff at a later time, Warren or somebody else, a
12 business card, some information about where to send that?

13 If there's some way of identifying on there
14 where it is that this problem is going on that would be
15 helpful. There may be a subdivision map or something that
16 you could circle or maybe make a photocopy of it. It's
17 just an idea.

18 MR. COHEN: I think there's a fairly detailed
19 map even right out here in the corridor of the area. I
20 think I saw it when I walked in here.

21 UNIDENTIFIED SPEAKER: I'll copy it out of the
22 map book.

23 MR. COHEN: Yeah. We'll get that to you.

24 COMMISSIONER GAW: Thank you. And I think --
25 I think that's all I have right now. But thank you very

1 much, Mr. Cohen.

2 MR COHEN: Thank you very much.

3 COMMISSIONER GAW: And somebody else might
4 have some questions.

5 COMMISSIONER CLAYTON: I had a couple of
6 questions that I wanted clarification from you, Mr. Cohen,
7 and also kind of an announcement to the other people that
8 are here. I think identifying the community in which you
9 live and also the subdivision will be helpful as we kind of
10 keep track of those. I think you mentioned Maryland
11 Heights and in the Creve Coeur Meadows subdivision is where
12 you're from?

13 MR. COHEN: Right.

14 COMMISSIONER CLAYTON: That information is
15 helpful because it really does seem neighborhood to
16 neighborhood it varies on the outage.

17 MR. COHEN: Sure. And we're right near a
18 major intersection of Dorsett Road and McKelvey and, you
19 know, that night of course they lost their power but they
20 did go back on before we did also. But it seems, you know,
21 this little enclave of homes within the subdivision always
22 loses power and everybody else around, you know, they're
23 just happy.

24 COMMISSIONER CLAYTON: How many days were you
25 out?

1 MR. COHEN: We lost it on the 19th and we got
2 it back sometime just before 5:00 p.m. on the 23rd.

3 COMMISSIONER CLAYTON: Four days?

4 MR. COHEN: Roughly, yes. Approximately four
5 days.

6 COMMISSIONER CLAYTON: Four days.

7 MR. COHEN: Uh-huh.

8 COMMISSIONER CLAYTON: And you said that you
9 had five significant outages since you've lived at this
10 address. Is that -- I think you said you've lived at that
11 address --

12 MR. COHEN: Oh, no. We had five outages
13 between April and the July storms of this year.

14 COMMISSIONER CLAYTON: Of this year?

15 MR. COHEN: Uh-huh.

16 COMMISSIONER CLAYTON: And three required
17 stays in a hotel?

18 MR. COHEN: Yes. Because I have to go
19 overnight because of the medical issue.

20 COMMISSIONER CLAYTON: How long have you been
21 at your address again?

22 MR. COHEN: We moved there in April of 2000.

23 COMMISSIONER CLAYTON: And over that -- over
24 that five, six year period how many other times, aside from
25 the three required stays in hotels, have you had to stay in

1 a hotel or had multi-day outages?

2 MR. COHEN: Multi-day? That's hard to
3 remember. Most of the outages have been of a duration of a
4 few months to a few hours, momentary.

5 COMMISSIONER CLAYTON: Those are bothersome
6 but I want to know about the significant outages. There
7 have been several time periods in 2005, 2004 where the city
8 was also hit by storms. Were you affected by those?

9 MR. COHEN: 2004, to the best of my knowledge,
10 no, we did not have to leave the home. We had outages of a
11 few hours but nothing requiring an overnight stay
12 elsewhere.

13 COMMISSIONER CLAYTON: And you don't recall
14 for '05?

15 MR. COHEN: Not at this time, no.

16 COMMISSIONER CLAYTON: Okay. Thank you.

17 JUDGE DALE: Thank you, Mr. Cohen. Before I
18 call our next witness I'd like to recognize senator, Joan
19 Bray, who's here.

20 SENATOR BRAY: Thank you. Appreciate your
21 being here because this is a really significant problem as
22 in the whole world of dealing with utilities and as they
23 ask for rate increases and stuff we need to listen to the
24 people. Thank you.

25 COMMISSIONER CLAYTON: Senator, if you would

1 like to say something you are part of the reason why we're
2 here today. So if there's anything you'd like to add for
3 the record we'd be happy to hear it.

4 SENATOR BRAY: Well, I just -- I do appreciate
5 your coming into this area because it was hard hit and
6 folks had -- the past three years there's been a
7 significant storm or cause for power to be out and the fact
8 that the third time the utility company still hadn't gotten
9 it right is very disturbing to us.

10 So I do hope that you -- it's a big picture of
11 the utility and what it's doing for its investments and
12 its -- and its stockholders and its -- we need to think
13 about the rate payers and customers and I'm glad you're
14 here to listen. Thank you.

15 COMMISSIONER CLAYTON: Thank you.

16 JUDGE DALE: Hilton Epstein.

17 HILTON EPSTEIN,
18 after being first duly sworn to tell the truth says as
19 follows:

20 JUDGE DALE: Thank you. Please proceed.

21 MR. EPSTEIN: My name is Hilton Epstein. We
22 live at 48 Riviera Court, that's in the Parkwest
23 subdivision. That's, oh, about a little bit east of 270
24 just off of Olive Street Road. I'm here to speak about the
25 storm and I want to thank you folks for being here. There

1 are times during that storm many of us said, by gosh,
2 nobody's listening, and thank you for listening.

3 Sure, we lost a lot of stuff during the storm.
4 We figure we lost about \$850 worth of food. But mainly
5 what I'm here to talk about is something that was brought
6 up at the end of Mr. Cohen's talk and that is the issue
7 about Ameren's response to people with disabilities.

8 Living in our home is my forty-five year old
9 son who is a quadriplegic and has several other physical
10 disabilities, among them is no temperature control. That
11 means the environment controls his temperature. If the
12 room that he's in gets above the mid seventies his
13 temperature climbs considerably.

14 He also has trouble breathing, therefore he's
15 on a respirator at night. His skin, he has a skin
16 condition which requires him to have a special mattress
17 otherwise he's susceptible to very serious bed sores.

18 Now I don't know whether or not -- there seems
19 to be a policy change at AmerenUE and I don't know whether
20 this came about when Ameren took over but I can tell you
21 what it used to be because he's been on the special needs
22 list since -- almost since he's been born.

23 It used to be when there was going to be a --
24 when there was a power failure, rather, we many sometimes
25 got a call from UE, hey, we know about it, we're going to

1 be out there to fix it, and they would be out in several
2 hours and they'd tell us how long it was going to be and
3 that was great.

4 And we had a special number that we could
5 call, a special number that we could call when there was a
6 power failure in our area and we would call it. In fact
7 our neighbors used to kid around about the fact, hey, we --
8 and we've lived there for over thirty-five years at that
9 address.

10 Our neighbors used to kid around about it,
11 hey, we like living on your block, that's what -- and it's
12 frequent power failures. We know that it's going to be
13 taken care of right away because of Mark. Well, now there
14 is no special number to call anymore. You get a letter and
15 the letter says that maybe you ought to check into getting
16 an alternate power source. Check into that.

17 You got to have an awful lot of bucks to get
18 an alternate power source. You have no other number. Try
19 calling Ameren during that thing. You better like talking
20 to a machine or listening to a machine because that's what
21 you've got.

22 How long were we without power? We were
23 without power for seven days. We were one of the last
24 people in the area to get power. Seven days. We had to --
25 in order for us to find a place where we could stay -- Mark

1 could not sleep in any bed so he ended up spending those
2 nights in his chair.

3 We couldn't get ahold of AmerenUE. We were on
4 their list but we could not get ahold of AmerenUE. Yeah,
5 this is our utility. Now there was a time when they
6 handled things differently. And yes, we do have frequent
7 power failures in our subdivision.

8 We're not too far from the subdivision in
9 Maryland Heights. Whether we get the same problems that
10 they do, but we do, we're subject to outages. Clear day,
11 beautiful day, suddenly it's out for an hour or two. Comes
12 back on or it's out for just a few minutes.

13 In the past several years I'd say we've had
14 two or three outages where we've had to spend the night
15 someplace else or just drive around in the car until we
16 felt that it would be safe that we could go back into the
17 house or it would be cool enough that we would be all
18 right.

19 But again, I thank you and I hope that the
20 recommendations to Ameren will cause some changes for the
21 better and that this is the end of this type of terrible
22 mess that we had in July. Thank you very much.

23 JUDGE DALE: Thank you, sir. Were there
24 questions from the Commission?

25 COMMISSIONER GAW: Mr. Epstein, thank you very

1 much for coming.

2 MR. EPSTEIN: You're welcome.

3 COMMISSIONER GAW: If you can recall, I'd like
4 to have some sort of a time frame on when you noticed this
5 change in regards to the telephone number and anything --

6 MR. EPSTEIN: It happened about the time that
7 Ameren took over, honestly.

8 COMMISSIONER GAW: It did?

9 MR. EPSTEIN: It happened when they took over.

10 COMMISSIONER GAW: And before that -- before
11 that you would call a number --

12 MR. EPSTEIN: They gave us a special number.
13 We kept it right by the phone.

14 COMMISSIONER GAW: What would happen after you
15 would call the number at that point in time?

16 MR. EPSTEIN: They would see that somebody
17 came out. I can remember -- I remember the first time it
18 ever happened. We lived in University City. We called
19 Ameren and it was weird because all of a sudden there was
20 all kinds of people came running out to the area. Not
21 Ameren, we called U.E.

22 COMMISSIONER GAW: U.E., yes.

23 MR. EPSTEIN: And all kinds of people came
24 running out and it was almost scary. And yeah, we lived in
25 U City at the time.

1 COMMISSIONER GAW: And then at some point
2 after, you think after Ameren took over the number --

3 MR. EPSTEIN: The policy changed. We're just
4 another customer, you know. We'll take care of you when we
5 feel it's okay to take care of you.

6 COMMISSIONER GAW: Did you get ahold of them
7 this time during the storm when you were trying to call?

8 MR. EPSTEIN: Not really. You get ahold of
9 the message, you know, their message machine mostly.
10 Finally you got the letter from them saying maybe you
11 should use the backup -- go hire a backup service. Never
12 got anything reasonable from them, no.

13 MRS. EPSTEIN: I went to the fire department.

14 MR. EPSTEIN: She went to -- that's my wife.
15 She went to the fire department --

16 COMMISSIONER GAW: Go ahead. Finish what
17 you're saying?

18 MRS. EPSTEIN: The fire department told us to
19 go to a cooling center and then the cooling center lost
20 power.

21 COMMISSIONER GAW: Is your wife going to
22 testify?

23 MRS. EPSTEIN: (Witness nodded.)

24 COMMISSIONER GAW: If she wants to add
25 something else we can swear her in so she can go ahead and

1 put it on the record and that way we know for sure it was
2 all done right. Would you mind?

3 MRS. EPSTEIN,
4 after being first duly sworn to tell the truth says as
5 follows:

6 COMMISSIONER GAW: Did you want to add
7 something, ma'am?

8 MRS. EPSTEIN: I was just wanting to let you
9 know that I went to the fire department hoping to find a
10 place and all that. All they had was a nursing home that
11 we went to and then they lost the power and they didn't
12 have an elevator. We wouldn't be able to get out of that
13 building. With an electric chair you can't go up and down
14 steps. So we were really having big problems.

15 COMMISSIONER GAW: And I don't want to dwell
16 on your all's personal experience unless you want to but
17 because you all are in a position where you can tell us how
18 this impacts you anything that you could give us in regard
19 to what experience you had in trying to deal with this
20 situation when you had this kind of an issue would be
21 helpful.

22 MR. EPSTEIN: Well, the main thing is you're
23 afraid. He's afraid to go to sleep at night. You're
24 afraid at night. What's going to happen? Here, they said
25 to get a backup generator or contact the people with the

1 equipment.

2 The respirator has a backup to it, two and a
3 half hours. Seven days we were without electricity. The
4 bed -- the mattress on that bed, the special mattress, has
5 no electricity, it has no backup. As soon as you lose
6 power it completely deflates. He's got to be taken out of
7 the bed immediately.

8 There's the emotional strain. We ended up
9 staying in St. Peters in a very small condo with my son and
10 his wife in one room and that's why he ended up sleeping in
11 his chair because that was the only place we could stay.

12 It was the emotional thing for one solid week
13 and then not being able to get ahold of Ameren. You call
14 them and you get this silly recording and that's it. I
15 mean it's almost like they really weren't -- you get the
16 impression sometimes they don't care.

17 COMMISSIONER GAW: Did you say that you had
18 called on another occasion outside of this storm and had
19 difficulty in getting them?

20 MRS. EPSTEIN: We called before the storm. We
21 had doctors write a letter.

22 MR. EPSTEIN: Oh, yeah. We've had doctors
23 write letters explaining why we needed it. You know, it
24 wasn't just us saying, hey, this is it. We had medical
25 proof of reasons that we needed their assistance.

1 COMMISSIONER GAW: Did you have difficulty
2 getting in touch with a person when you called them before
3 the storm or did you get a recording then?

4 MR. EPSTEIN: No. Before the storm we got a
5 recording first and then you finally get through. It's not
6 as simple as just calling.

7 COMMISSIONER GAW: How long did it take you
8 that time frame when you're not dealing with the storm
9 situation to get through to a live person, if you know?

10 MRS. EPSTEIN: I don't remember. It was a
11 long time. You know, the last time we had -- our lights
12 went out I called up -- the last time the lights went out I
13 called up and they said that we'd have it by 5:00 that day
14 and we didn't get it. It was recorded that 123 houses were
15 out in your neighborhood. So that was good, at least you
16 had notice. I didn't have to leave my house so fast.

17 As far as losing all that food: I didn't give
18 a darn about the food. I was more concerned about my son.
19 I just wanted you to, you know --

20 COMMISSIONER GAW: And so do you have a copy
21 of this letter that --

22 MR. EPSTEIN: I didn't bring it with me. I
23 should have. I'll submit a copy.

24 COMMISSIONER GAW: If you could get it to us
25 and someone on staff can let him know to get that

1 information to us. I think that's all the questions I have
2 of you but there may be some others. Thank you all both.

3 COMMISSIONER CLAYTON: I don't have any
4 questions. Thanks for coming today.

5 COMMISSIONER APPLING: Would you clarify, how
6 long have you been living at your present address?

7 MR. EPSTEIN: Almost thirty-five years.

8 COMMISSIONER APPLING: Thirty-five years?

9 MR. EPSTEIN: Yes, sir.

10 JUDGE DALE: Thank you. Just a reminder. I
11 said this in my opening remarks, but if you -- for some
12 reason you have to leave today or are unable to testify or
13 you want to add to your testimony we would be delighted to
14 receive written comments.

15 Our address again is Post Office Box 360,
16 Jefferson City, Missouri 65102. We also have a website
17 that you can make comments through. So we encourage you if
18 you're not able to speak today to do that and even if you
19 do speak today if you want to follow up with more comments
20 to do that. Next is Douglas Weber.

21 DOUGLAS WEBER,
22 after being first duly sworn to tell the truth says as
23 follows:

24 JUDGE DALE: Thank you. Please proceed.

25 MR. WEBER: My name is Doug Weber, I reside at

1 1815 Boulder Springs, that's an apartment complex at the
2 corner of Ross Road and Fee Fee. I want to thank you for
3 opening this up for public comment, at least those
4 Commissioners who voted for it, because I think it's
5 definitely needed.

6 In terms of our service levels: I've lived in
7 this area for approximately fifteen months. I've
8 encountered six significant outages of one hour or more in
9 duration. Prior to that I had eight years of experience in
10 Cuivre River. During the eight years we encountered two
11 power outages, one of which was due to an auto accident.
12 So that gives you a relative comparison to my experience.

13 I also encounter a number of low voltage
14 conditions. I can detect that based upon UPS equipment
15 multi-computer systems. In terms of telephone service:
16 I'm very happy to report, didn't miss a beat. I had a dial
17 tone throughout the entire period of the storms.

18 First and foremost, I want to applaud the
19 extraordinary efforts of Ameren's crews, their contractors
20 and the out-of-town folks that came in. I think the
21 employees of Ameren did a heroic job in this community, or
22 at least it did in our area. And likewise, my sympathies
23 go out to those who were injured, and especially Bob
24 Tackett's family who lost their husband and father.

25 I want to address three key points: The

13 Now I am extraordinarily blessed because the
14 next morning I had power back on. At that point I began to
15 use Ameren's online system to look at the outages of the
16 area and that system was either down or near down for the
17 first roughly day and day and a half.

25 However, I do hold Ameren's management

1 accountable for their policies, their procedures and their
2 corporate culture to ensure that their company can respond
3 to the demands of such situation. For example, their
4 outage website is a very elegant tool and it's very handy
5 both for customers as well as the news media, however, it
6 failed under these unprecedented loads.

7 Why did it take so long to get this elegant
8 tool shifted into a simpler format that was available
9 online? It should have taken an hour or two hours, not
10 twenty-four to thirty-six hours to accomplish that. I have
11 twenty-five years of IT background so I have a little bit
12 of experience when I make that claim.

13 Was there a failure for Ameren's organization
14 to have a disaster recovery plan in place or was it simply
15 a failure of Ameren's management to empower their employees
16 to literally throw away the book when such a calamity hits
17 and to do what's right for the community and right for its
18 customers?

19 I'll be the first to admit, I bear some
20 responsibility for the power outage in this 63146 area
21 code. Two to three weeks before the storm hit I noticed a
22 tree trimming crew on Ross Avenue and that's approximately
23 a mile east from here. I noticed that late in the
24 afternoon when I went by, and then the next morning when I
25 went by they were getting ready to setup to do work.

1 I came by that afternoon shortly after noon
2 that day and they were gone. And frankly, I wondered at
3 the time why didn't they finish their job? Their presence
4 was sorely over needed because that stretch of Ross Road
5 had limbs through those lines in many, many spots, but they
6 seemingly quit about a third of the way through.

7 Was the contractor skimping on their work?
8 Had they identified the need to do more work and simply
9 didn't contact Ameren? Did they contact Ameren for
10 approval to do additional work, perhaps, and were denied?
11 If Ameren has a thirty million dollar tree trimming budget
12 what percentage of that budget is spent on oversight of
13 auditing to make sure that the work they're paying for does
14 indeed get done?

15 Now I make that point specifically because on
16 the Friday after the storm I wished I would have called
17 AmerenUE to ask those questions myself because there was a
18 power line down on the road literally ten to fifteen yards
19 from where the trail of sawdust had ended from where that
20 work crew had been two to three weeks prior.

21 It was not a tree. It was not even a large
22 limb. It was a limb about the size of my forearm that had
23 come down across that power line. It had knocked it out
24 and knocked it across Ross Road. I have no idea why that
25 crew didn't finish the job they started.

1 Now I took that lesson and I applied it
2 literally this morning because as you go down 270, go south
3 on Page headed towards Olive, and you'll notice that
4 there's a four line transmission line that extends across
5 270. What you may not see, unless you're tied up in
6 traffic, is that the debris and the trees on each side of
7 the road to the west and to the east are encroached by the
8 limbs.

9 And so it makes you wonder if we have a storm
10 that comes through this afternoon and those limbs take on
11 down those secondary lines what will happen to those four
12 power lines that cross at that point of 270? Will we have
13 yet another potentially lethal disaster on our hands?

14 Now I ask that question for a couple reasons.
15 First of all, I don't have an idea of how I effectively
16 contact Ameren to report a potential tree outage. So I
17 called their outage number and I spoke with a very friendly
18 and very helpful employee named Amanda. She took the
19 information and promised that that report would be
20 dispatched to the forestry division to be looked at and I
21 should expect to see something within one to three days. I
22 appreciated that kind of feedback.

23 And I think that's another example where if
24 you look at the employees of Ameren who do the job day in
25 and day out we see a fine level of service. Once again,

1 it's the management and some of the policies and procedures
2 that I have an issue with. And I'm anxious to find out
3 what happens in one to three days, to see if anything is
4 ever done about that.

5 As we look forward into what Ameren does in
6 the future I have to ask where is their communication in
7 being able to tell us the customers and the community on
8 how to deal with such issues such as potentials or near
9 problems as it comes to the tree line?

10 Ameren management has spent a tremendous
11 amount of time on the news media defending the thirty
12 million dollar tree trimming practice but I haven't seen a
13 lot of education take place in terms of the consumer. In
14 fact, if you call Ameren's call routing system, as I did
15 this morning, and go through their call tree there's never
16 a mention about what button to press if I have an issue
17 concerning trees. Now my experience has taught me just to
18 let it fall through. And fortunately, as I mentioned, I
19 talked to Amanda and it appears that that might be taken
20 care of.

21 Also on the communications front: I'm still
22 confused about who's responsible for the tree line at given
23 points and I think Mr. Wood addressed some of that in his
24 preamble this morning. I'm also confused as to who is
25 responsible for what lines on those poles because if you go

1 down any of these streets you will typically see power
2 lines, you will see telephone lines and you will see cable.

3 Back to my tree trimming example from just
4 before that storm: Those trimmers seemed very -- in the
5 section they did do trimming they trimmed away from the
6 power line. They did not trim away necessarily from the
7 telephone line, which is in the middle, or the cable line,
8 which is in the bottom cable.

9 So who's responsible for that? Who should I
10 call as a consumer if I see trees encroaching upon, for
11 example, the telephony lines or the cable lines and not the
12 electric line? I don't know. I'm willing to call about
13 anyone based upon the summer's experience.

14 But I think Ameren needs to educate consumers
15 and to make it easy for us to do business with,
16 particularly in regard to the tree trimming episodes.
17 Thank you for your time and I definitely look forward to
18 some recommendations from your group and hopefully some
19 expedient answers out of Ameren.

20 JUDGE DALE: I have one question. When you
21 referred to limbs within the power lines, could you tell me
22 what you mean by that?

23 MR. WEBER: These are from where I saw the
24 tree trimming on Ross Avenue.

25 JUDGE DALE: Well --

1 MR. WEBER: Or the 270?

2 JUDGE DALE: And before that you said you were
3 driving around.

4 MR. WEBER: Yeah. You typically see -- if you
5 see a power line -- I look at it in terms of the power line
6 is either -- the limb is either brushing the power line or
7 the limbs have grown through the power lines and sometimes
8 you actually lose sight of the line through the leaves.

9 On Ross Road before the tree trimming crew
10 came through it was the later case, where the limbs had
11 actually grown through those power lines in a number of
12 spots along that roughly one mile stretch.

13 JUDGE DALE: Thank you. Are there questions
14 from the bench?

15 COMMISSIONER GAW: Thank you, Mr. Weber. I
16 appreciate your presentation. It was very well done, by
17 the way. I would like to just ask a couple of questions I
18 think about what you noticed about tree trimming since --
19 in the last few years. Refresh my memory, how long did you
20 say you've been --

21 MR. WEBER: I've lived in this area for
22 roughly fifteen months.

23 COMMISSIONER GAW: Fifteen months. So you
24 don't have a long history of observing what tree trimming
25 might have gone on?

1 MR. WEBER: No. But I can tell you based upon
2 the amount of tree limbs that have gone through those lines
3 --

4 COMMISSIONER GAW: That's where I'm going
5 next.

6 MR. WEBER: -- it had been some time since
7 those limbs must have been trimmed.

8 COMMISSIONER GAW: When you say you see these
9 tree limbs that are encroaching over -- around these lines,
10 is that something that you notice most of the places if you
11 look around your neighborhood or are there some places that
12 appear that perhaps the trees have been trimmed back at
13 some point in the recent past? Can you give me a concept
14 of that?

15 MR. WEBER: I would be hard-pressed to walk
16 you out of this building and show you where something has
17 been done recently, save for that work that was done on
18 Ross Road. And once again, I fall back to comparison to
19 what I see Cuivre River doing out in St. Charles County.

20 What surprised me this summer is just in my
21 casual trips out in St. Charles County I would see their
22 crews out tree trimming on four separate occasions during
23 the summertime along Highway K, for example, or Highway N.
24 Here I only saw that one instance.

25 COMMISSIONER GAW: So the concept of trying to

1 identify the difference in between Cuivre River and here
2 you would say the tree trimming that you have observed in
3 Cuivre River was much more frequent?

4 MR. WEBER: Absolutely.

5 COMMISSIONER GAW: And that's -- is that area
6 that you lived in, was that served by the -- was that more
7 rural area or was it in town?

8 MR. WEBER: Oh, it was definitely more rural
9 than this. It was more -- it was subdivisions along
10 Highway N and Highway K. That's a high growth area but
11 there's still farmland out there.

12 COMMISSIONER GAW: You mentioned the low
13 voltage issues that registered on your computer. Do you
14 know whether or not that -- does your computer have a
15 mechanism of tracking that?

16 MR. WEBER: I used to track that information
17 but the occurrences were so frequent that I turned it off
18 because typically I will see a low voltage condition at
19 least twice per week.

20 COMMISSIONER GAW: Did you keep any of that
21 information?

22 MR. WEBER: No, I did not, sir.

23 COMMISSIONER GAW: I might have been
24 interested in seeing that if you kept it and if you do
25 happen to have information going forward if you want to

1 provide that that'll be helpful.

2 MR. WEBER: Okay.

3 COMMISSIONER GAW: The telephone issue that
4 you had getting in to talk to Ameren, the busy signal
5 issue, you say sometimes it was a regular busy signal and
6 sometimes it was a quick busy?

7 MR. WEBER: Correct.

8 COMMISSIONER GAW: And that started about
9 when?

10 MR. WEBER: I started trying to call that
11 number approximately 7:15 that first night of the storm and
12 I continued that periodically until 1:30, 2:00 in the
13 morning.

14 COMMISSIONER GAW: And you never got through?
15 You always got a busy signal or a quick busy?

16 MR. WEBER: That's correct.

17 COMMISSIONER GAW: Then after that did you try
18 again?

19 MR. WEBER: No, I did not.

20 COMMISSIONER GAW: So the next day you didn't
21 try to call in?

22 MR. WEBER: No, I did not.

23 COMMISSIONER GAW: The issue in regard to the
24 website, can you give me an idea about how difficult it
25 was? When you say it was either down or mostly down, give

1 me an idea about what you mean by "mostly down"?

2 MR. WEBER: There are times when accessing a
3 website where you will either not get a response or you'll
4 get a certain set of three digit error codes that come back
5 that indicate the server is too busy to respond and those
6 were the types of conditions that I was encountering in the
7 first twenty-four to thirty-six hours.

8 After that Ameren did make a change where they
9 were oversimplified. It appeared that they took out the
10 elegant solution and they put in a simpler solution which
11 wouldn't update as frequently and therefore their equipment
12 could better maintain the load that was being placed on it.

13 COMMISSIONER GAW: And again, that started
14 occurring about when?

15 MR. WEBER: That started with the failure -- I
16 first noticed the failure once I got back online the
17 following morning. It was down or near down that entire
18 day. I didn't notice the change until day number three.

19 COMMISSIONER GAW: Okay. And I believe I
20 heard -- I wanted to know the percentage, if you can
21 estimate it, of times when you were making the phone calls
22 on that first evening where you got a busy signal as
23 compared to a quick busy?

24 MR. WEBER: I would receive the fast busy
25 probably 25 percent of the time.

1 COMMISSIONER GAW: Okay. Have you got any
2 recommendations in regards to communications and education,
3 particularly we're talking about trying to let people know
4 how they could -- how they could find out about -- how they
5 can find out how to contact AmerenUE in regard to tree
6 trimming issues and what other things that might have been
7 helpful? Do you have any specifics that you'd like to
8 mention while you're up here?

9 MR. WEBER: Well, I think some of the key
10 areas is one, if you try to contact Ameren we need a
11 vehicle via the telephone to be able to help guide us and
12 report this information. Number two, I would like to see
13 Ameren follow the same policy as First National Telephone
14 Company where you receive a ticket number and you have
15 something to follow up on.

16 All I can tell you today is I talked to
17 Amanda. Amanda was friendly, Amanda took the report. I
18 have no tracking or log number or record number or trouble
19 ticket or anything to refer back to to do a follow up.

20 COMMISSIONER GAW: Okay.

21 MR. WEBER: That would be extremely valuable.
22 The third area on their website is if it would have an easy
23 to find place to report problems online. In Ameren's
24 defense there is a place and a way to do that, however, it
25 is by no means easy to find on their website. You have to

1 really, really work at it to be able to find how to get to
2 the direction to the page. I think the other thing that I
3 would encourage you as an oversight Commission is -- I'll
4 ask a hypothetical question. Can you tell me what the
5 outage looked like in the 63146 area code for every hour of
6 every day of that outage?

7 I suspect the answer may not be yes. But I
8 definitely think on an ongoing basis, since Ameren
9 maintains that information based upon ZIP code, it's
10 available to me as the consumer. And then you as an
11 oversight group should be able to see that type of
12 information and, most importantly, have Ameren report on
13 trends.

14 Because even in just the comments before now
15 I've already heard horror stories that make me very
16 thankful I don't live in certain areas of Maryland Heights
17 that they are seeing dramatic outages. And it should show
18 up in those outage reports and you should have access as an
19 oversight Commission to see that and see those trends.

20 COMMISSIONER GAW: Okay. We'll see that we
21 make sure that that request gets made, Mr. Weber. The
22 Judge will make sure that that gets translated along or
23 have staff answer that question or ask it. Thank you.

24 COMMISSIONER CLAYTON: Mr. Weber, you
25 mentioned that there would be a need or you thought there

1 was a need for better disaster planning or perhaps more
2 personnel empowerment on the part of employees at Ameren.
3 Do you have any specific examples of what you could
4 identify as to where either you saw or would suggest where
5 an employee needs to be empowered to improve the
6 circumstances?

7 MR. WEBER: I think the most obvious answer is
8 what I've mentioned already, has to do with their website,
9 just because of my background, knowing some of the
10 technology behind the scenes on what drives that. I don't
11 know exactly what Ameren does but conceptually I know and I
12 have a background in a large company as well so I
13 understand.

14 COMMISSIONER CLAYTON: So you never had any
15 conversations with tree trimmers out in the field or crews
16 working out in neighborhoods where they said well, we can't
17 do our job because someone else told us to do different?

18 MR. WEBER: No. I've never had that kind of
19 conversation.

20 COMMISSIONER CLAYTON: I was wondering if that
21 was a possibility. I don't have any other questions.
22 You're very organized. Appreciate the comments.

23 MR. WEBER: Thank you all for your time.

24 JUDGE DALE: R. Moser. Mr. Moser's not here.
25 Carol Craston.

1 CAROL CRASTON,
2 after being first duly sworn to tell the truth says as
3 follows:

4 JUDGE DALE: Thank you. Please proceed?

5 MS. CRASTON: My name is Carol Craston, I live
6 at 2013 La Chelle, and before you can't find it on the map
7 it's capitol L, A, capital C, H-E-L-L-E, it's two words.
8 MapQuest won't find it if you do it as one word. We moved
9 in there March of '92. We have lived in fourteen different
10 places. Maybe I should say ten places because we've lived
11 in St. Louis four times.

12 Our experience as far as outages go have
13 always been of the usual run-of-the-mill one or two a year
14 wherever we've lived. Things happen. Some people run into
15 telephone poles, transformers do get old, they do blow up,
16 storms come. Since we've lived in this house it has been a
17 minimum of six and it has been sometimes more than twelve
18 every year that we have lived in that house since '92.

19 The first three years I thought something
20 could be done about it and every time it went out I would
21 call. The answers from the electric company varied from we
22 don't know. We're working on it. Ma'am, you live in a new
23 subdivision and they are putting in more houses and you
24 should be back on soon. Any one of those answers.

25 After we had been there five, six years,

1 during one of the times that I was talking with my brother
2 I brought that up to him. And the reason that I bring my
3 brother's name up is that he was one of the engineers that
4 helped design and build a power plant in Jacksonville,
5 Florida, and he continues to be there running it and
6 overseeing the work when they do take the plant down on an
7 annual basis to do their annual maintenance on it.

8 He talked to me and in talking said that the
9 way it sounded like to him was that we were on a spur
10 rather than a loop. But he went on asking some other
11 questions and in asking the other questions and the answers
12 that I gave to him he said I don't think you're on a spur
13 because if you were on a spur you would not get those
14 momentary flickers where the power would go out for a few
15 seconds and then come back on.

16 He said with a loop when it goes out, because
17 there is no power coming from one direction, after it goes
18 out it triggers that it starts coming from another
19 direction. He said with a spur there is no other direction
20 for it to come from. But because we did get those
21 momentary and then resumption of powers he said you must be
22 on a loop, not a spur.

23 That was more information than I really wanted
24 to know. I just wanted to know how to go about getting
25 power and getting it on all the time. We had already

1 bought power surge protection for our computers, for our
2 televisions and he even recommended that we do that for our
3 refrigerator, which when we purchased a side by side
4 they're not cheap anymore either.

5 And later we ended up, at our son's advice,
6 putting -- and he works for Dell Computer and was helping
7 us to make sure we didn't lose another computer because we
8 did lose one -- battery backup so we're on battery backup
9 as well. And I think we now have four or five of those in
10 the house to take care of computers and expensive
11 electronic equipment.

12 As far as when this storm occurred: That was
13 not the first outage this past year. We were out from
14 Wednesday evening until Saturday morning. On Thursday
15 morning we talked with our son who lives over in the
16 Ballwin area; he had power.

17 So at that point we packed up, packed all of
18 our frozen stuff and all of our refrigerator stuff into
19 coolers, we took it over there. He had already gone out
20 and bought a freezer and plugged it in and as soon as it
21 was cold enough we put everything in there.

22 We were lucky. We lost almost nothing. Not
23 too many people had that same luxury. We don't have any
24 health problems so we didn't have the panic of worrying
25 about overnight. We no longer have small children living

1 with us so we didn't have to panic about how do you change
2 a diaper in the dark when you're trying to use a flashlight
3 or a candle. We just had the normal thing of why are we
4 losing power all the time?

5 I understand losing it from a storm. I've
6 been through hurricanes. I've been through tornadoes.
7 I've been through earthquakes. You lose power. Sometimes
8 you lose other utilities as well. You get them back as
9 soon as they can get them back.

10 But why are we losing power this many times
11 and is that contributing to the problems when we have a
12 major storm? If they have that many problems with that
13 much equipment that many times a year of course it's going
14 to go out during a storm. I mean, as my son would say,
15 dah. So that's mine.

16 Have I phoned that phone number? Yeah. Do I
17 think it's useless? Yeah. I mean when we call it and we
18 get home from -- we're both -- my husband and I are both
19 semi-retired. I'm a CPA. I only work tax season. When my
20 husband calls me at work and says you might as well work
21 late, there's no power, and I will say well, when did it go
22 out?

23 Well, he's a Deacon in the Catholic church so
24 he works at a nursing home, also does some things. He says
25 I don't know, it was out when I got home. When did you get

1 home? I got home around noon. Did you call that number?
2 Yeah. What did the recorded message say? We know you're
3 out. We're working on it. We estimate that it'll be about
4 6:00.

5 I said fine, I'm going to be working here
6 until 7:00 or 8:00. Why don't you go over and watch a
7 ballgame or something with our son. 7:00 or 8:00 you can
8 call home and with a phone that has a recorded message you
9 know immediately if it doesn't pick up and answer you have
10 no power. So you stay there until 10:00 or 11:00 and when
11 you call and you're finally getting power back then you go
12 home.

13 Our next door neighbor's house burned down
14 this summer. The official fire report -- because it was a
15 few days afterwards -- was that their outdoor lights that
16 shine on the house overheated because they weren't cycling
17 on at night. They were cycling on during the daytime and
18 we had that 90 degree weather afterwards and that's what
19 caused the house to catch on fire with the mulch that was
20 there near it. I don't know.

21 We had left on vacation Monday after the power
22 outage to visit relatives on the west coast. It scares me.
23 The whole rest of the time we asked our son to come over
24 and check on our house on a weekly basis to make sure that
25 power outage hadn't gone out because we have outdoor lights

1 too.

2 Would one of those be beaten on by the sun,
3 catch the mulch on fire and burn our house down as well? I
4 don't know. It didn't. But it's another thing that you
5 worry about. I asked my husband, well, should we just ask
6 him to pull the plugs on those so that we don't have to
7 worry about power outages? We didn't. But as I said, our
8 son kept coming over and checking on our house every week.

9 JUDGE DALE: Once again, I'm going to ask you
10 about the fast busies. When you called did you get fast
11 busies or regular busy signals?

12 MS. CRASTON: We didn't call that night.

13 JUDGE DALE: Okay.

14 MS. CRASTON: We didn't figure there was any
15 use because we didn't figure the information they gave us
16 would be accurate.

17 JUDGE DALE: The other question relates to
18 that. You were saying that sometimes it doesn't come on
19 when they say it will. What percentage of time is the
20 recorded message an accurate predictor of when the power
21 will come back on?

22 MS. CRASTON: Once or twice, that's it.

23 JUDGE DALE: Out of?

24 MS. CRASTON: Five to twelve times a year.

25 JUDGE DALE: Okay.

1 MS. CRASTON: I don't totally blame them for
2 them because I know that you try to give your best guess
3 but their best guesses aren't very accurate. I'd almost
4 rather just hear we're working on it, we'll get it back as
5 soon as we can, rather than having them giving me something
6 that I can stand there and say yeah, right, because that's
7 how I feel about the answer there.

8 Have I ever been able to get through to a
9 person? Not in the last four or five years. When we first
10 moved in and the power was going off and I kept saying
11 we're underground here. Because as I said, we have lived
12 in St. Louis prior to this and we also had a 63141 ZIP code
13 when we lived here once before for eleven years and we
14 probably didn't have, in eleven years, as many outages as
15 we have here in a year. You know, it doesn't make sense.

16 JUDGE DALE: Thank you. Questions?

17 COMMISSIONER CLAYTON: What was the city and
18 the community and the subdivision again?

19 MS. CRASTON: We live in Amiot subdivision,
20 A-M-I-O-T. We're a very small subdivision. We only have
21 thirty-five houses. On one side of us is Seven Pines, on
22 the other side is Old Farm and frequently when we're out
23 the two of them are not.

24 COMMISSIONER CLAYTON: What city? What city
25 is that?

1 MS. CRASTON: We are technically in Maryland
2 Heights but around us is unincorporated.

3 COMMISSIONER CLAYTON: Gotcha. Thank you.

4 COMMISSIONER GAW: If you could, if there's
5 any way to supply some type of plat or map of it that would
6 be great. And if you can't --

7 MS. CRASTON: We're only three streets.

8 COMMISSIONER GAW: That's all right. We can
9 figure it out. But if there's one that's available to you
10 and you could give us a copy of it to simplify it in some
11 way. And I think -- and you did say that your lines are
12 underground there, right?

13 MS. CRASTON: Yes. And I wished that they
14 were overhead because the two subdivisions that I mentioned
15 on either side of us are overhead and they always have
16 power.

17 COMMISSIONER GAW: This is an interesting
18 thing. We've heard of this about underground lines now on
19 two different occasions and I'm curious about where the
20 feed is going into your underground system.

21 MS. CRASTON: I don't know. I know we have
22 one of the big green boxes in our front yard.

23 COMMISSIONER GAW: Where is the closest
24 location that, if you can recall, where you see the lines
25 above ground?

1 MS. CRASTON: In Old Farm and Seven Pines.

2 COMMISSIONER GAW: Which is on which side of
3 your subdivision, do you know?

4 UNIDENTIFIED SPEAKER: South side of Amiot.
5 She's on the north side of Amiot.

6 COMMISSIONER GAW: And when you come up in a
7 minute maybe you can give us a little more detail about
8 that.

9 UNIDENTIFIED SPEAKER: I don't live there. I
10 just know where she is. I drive a lot.

11 COMMISSIONER GAW: If you're coming up to
12 testify in a minute that would be helpful. But I think
13 that's all I have. Thank you very much.

14 JUDGE DALE: Thank you. Jerry Eichholz.

15 JERRY EICHHOLZ,
16 after being first duly sworn to tell the truth says as
17 follows:

18 JUDGE DALE: Thank you. Please proceed.

19 MR. EICHHOLZ: My name is Jerry Eichholz, I
20 live in the Paddock Forest subdivision in north St. Louis
21 County, Parker/367 area. First of all, I'd like to thank
22 the Commission for having these hearings. I'd also like to
23 thank the workers of AmerenUE, the front line people for
24 the efforts that they make on a daily basis.

25 I must, however -- and I also want to say I

1 really appreciate this opportunity because Mr. Wakeman is
2 here and I have had telephone calls and letters from him
3 for an ongoing problem. I must say that I'm outraged with
4 Ameren's management. Ameren is in a state of denial.

5 I have talked with Ameren and have been trying
6 to work with Ameren since last November, formally letters
7 written since last March concerning nine hundred residents
8 in our subdivision who over the last five years have
9 experienced more than three hundred hours of power outages.

10 Ameren has responded but they have not been
11 responsive. I am not an electrician. I don't know a whole
12 lot about systems. I do know that when I turn on the
13 switch many times I don't get anything for periods of time.

14 With respect to this particular storm: We
15 were without power for six and a half days. Contacts were
16 trying to be made on the Wednesday evening but it was a
17 constant busy signal and we figured that the outages were
18 so broad that they had a clue that there were outages in
19 the area.

20 That evening we knew that it was going to be a
21 long-term kind of a possibility because of the area that it
22 was in and so we then started looking for alternative
23 living space. We stayed at home that Tuesday evening but
24 because I have a ninety-two year old mother-in-law with me
25 we felt that it was for her best interest and mine -- I'm a

1 heart patient -- that we find other places to live.

2 In that process, being without power that
3 evening and staying at home and making arrangements to
4 leave, through that process my ninety-two year old
5 mother-in-law wound up in the hospital for six days.

6 We have had an ongoing problem, as I said.
7 I've had communication with Ameren starting with Mr. Mark
8 who shifted the responsibility to Mr. Wakeman. I was not
9 satisfied with the responses that I ultimately got from Mr.
10 Wakeman in that our concern was for nine hundred residents
11 in our subdivision.

12 We were trying to work with Ameren. We
13 understand that there are occasions when things go off.
14 But we could document that not only were we having more
15 outages more frequently, the time to get power restored was
16 taking longer and longer and so we wanted to say hey,
17 what's the problem? How can we help here? We didn't get
18 any satisfactory answer.

19 In the latest letter that I had from Mr.
20 Wakeman he indicated that he could only deal with my
21 residence, not the nine hundred. At that point I wrote a
22 letter on behalf of our subdivision to Mr. Gary Waters. He
23 responded thirty days later.

24 That's another point. They are not terribly
25 responsive. If you write a letter you can expect a

1 response within thirty to sixty days. Doesn't seem to me
2 that they're too concerned about what's going on with that
3 kind of a response.

4 Mr. Waterman responded through Mr. Mark and
5 they indicated that Mr. Wakeman is now going to oversee a
6 project to find out about the circuit reliability or
7 something. Something that we had asked be done in March.
8 In September 28 when I received the letter, Mr. Mark
9 indicated that that's going to take place but understand it
10 will take several weeks to do that project because it's a
11 major project.

12 I wrote a letter to Mr. Wakeman -- or to
13 Mr. Waterman this morning and that was dropped in the mail
14 before I came here. And I do plan to provide the Public
15 Service Commission with the letter and information about
16 all of our outages, the latest of which was last Friday for
17 four hours.

18 I don't believe that it was rainy or stormy
19 last Friday. And again, this is parts of our subdivision.
20 It isn't the entire area all the time. I hope that's
21 helpful to you. As I say, three hundred hours in the last
22 five years that can be documented.

23 COMMISSIONER GAW: Sir, can you tell me what
24 it is that you have in regard to location, any maps or
25 anything, plats?

1 MR. EICHHOLZ: We can provide it. I'll see
2 that we can provide it. I don't have it with me.

3 COMMISSIONER GAW: Just a copy.

4 MR. EICHHOLZ: Right. And let me say
5 something else. You also have down here what
6 recommendations would I have for Ameren.

7 COMMISSIONER GAW: Yes.

8 MR. EICHHOLZ: I'm not sure they have a
9 preventive maintenance program.

10 COMMISSIONER GAW: Okay.

11 MR. EICHHOLZ: In talking with Mr. Wakeman and
12 in his correspondence we asked is there a pattern of
13 something going on here that are causing these outages?
14 Oh, no, it's this and it's that and then it's something
15 else or whatever. We have underground wiring.

16 I asked, what is the life expectancy of
17 underground wiring? I have lived in my home for over
18 thirty-five years and the subdivision is approaching forty
19 or fifty years old. There has been some replacement of
20 wiring from April to June underground in my particular
21 area, but it's a very large subdivision, as I said, over
22 nine hundred households.

23 I'm not sure that Ameren has adequate staff
24 for its front line kinds of stuff. Again, I'm not an
25 electrician or know a whole lot about this stuff but in

1 what I do know if I walk into an area and I see something
2 that's not right I can do something to get it corrected.

3 The gentleman back here that spoke about the
4 initiative on the part of the workers. Do Ameren workers
5 have the authority to say if they see something on a
6 transformer that doesn't look right that they can go and
7 take care of that or does it get put on some kind of a list
8 that'll be addressed six or eight months later?

9 I think that Ameren's doing a lot of
10 sub-contracting. It would interesting to know what their
11 hiring of people to do the day-to-day nitty-gritty kinds of
12 electrical work is. It would be interesting to see if they
13 have a training program to replace people who are retiring
14 or worn out from climbing poles and putting wires together,
15 whatever they do. Those are some recommendations that I
16 would have, is what's going on?

17 COMMISSIONER GAW: Do you have any feedback
18 from Ameren that gives you any indication that the problems
19 in the subdivision are related to the fact the wires are
20 underground?

21 MR. EICHHOLZ: No.

22 COMMISSIONER GAW: Did they give you any
23 feedback or give you any indication that it was other than
24 that?

25 MR. EICHHOLZ: (Speaker nodded.)

1 COMMISSIONER GAW: And if you have the letters
2 back and forth --

3 MR. EICHHOLZ: I'll be happy to forward this
4 to you with the letter that I write to the Commission, yes.
5 I have this information.

6 COMMISSIONER GAW: Okay. That would be good.
7 And I believe that's all I have. Thank you, sir.

8 COMMISSIONER CLAYTON: Mr. Eichholz, I
9 appreciate you coming here today and --

10 MR. EICHHOLZ: I appreciate you being here.

11 COMMISSIONER CLAYTON: Well, we're glad to be
12 here because this information is very helpful and it gives
13 us a reason to come out and visit with folks. When you
14 write your letters -- this goes for everybody -- make sure
15 that you reference the case number so it's made part of
16 this case. That's on that handout. It's EO-2007-0037.
17 Make sure that it's included in part of this record. We
18 have letters and copies of material that come through all
19 the time and sometimes it doesn't find the right home.

20 MR. EICHHOLZ: And that's one of the things
21 that I tried to clarify earlier about were you only talking
22 about July 19 and 22 or 21 or whatever or it's a much
23 deeper problem than that.

24 COMMISSIONER CLAYTON: Sir, when we started
25 this conversation it was based on activities that happened

1 or lack of activity that occurred after that storm earlier
2 this year and we've received additional information on
3 overall reliability, which I think is very important.
4 That's what we do on a daily basis. I wanted to ask,
5 Paddock Forest, is that close to Paddock Lake? Is it in
6 Florissant?

7 MR. EICHHOLZ: Yes. We're in unincorporated
8 St. Louis County at Parker and 367. There is a Paddock
9 Lake subdivision. Yes, it's in the area. And here's
10 another interesting thing. You know, we've tried to be
11 very reasonable in working with Ameren to try to resolve
12 the problem.

13 We had a community meeting last week that
14 involved residents from other subdivisions. Lo and behold,
15 guess what? I was to report to our subdivision people
16 about what's been going on but people in Lake James are
17 having problems also, which is off of Lindbergh. People in
18 Paddock Woods, which is across Parker Road, is having
19 problems also.

20 As I said earlier, the book title is just
21 great. Ameren is in a state of denial. There's a system
22 that's about to break down and it seems to me that some
23 preventative maintenance and folks to be able to fix it and
24 keep it up and running is critical.

25 COMMISSIONER CLAYTON: You were a point of

1 contact for perhaps your neighborhood you just suggested?

2 MR. EICHHOLZ: Yes.

3 COMMISSIONER CLAYTON: It's kind of
4 interesting you say that. Last night -- and I don't know
5 if it was the Paddock Lake -- we had a witness from Paddock
6 Lake last night.

7 MR. EICHHOLZ: That's not my subdivision.
8 That's another one.

9 COMMISSIONER CLAYTON: I understand. I
10 recognized the name and I wrote it down. It may not have
11 been the same thing. But there was someone who suggested
12 in communication efforts, in both communicating outages and
13 trees and other issues, communicating to Ameren so they're
14 made aware of what's going on out in the neighborhood, that
15 there be a communication lead or kind of like a
16 neighborhood watch type of program where there is some
17 coordination of information and that just sounded very
18 familiar to what you just said.

19 MR. EICHHOLZ: Let me tell you what we have
20 done. Within our subdivision we have developed an e-mail
21 list of people and it's now up to over a hundred people and
22 basically what goes out is if you have a power outage
23 forward that to an e-mail address and then it's being
24 forwarded to me. So I have a record until my computer
25 crashed but I've recovered most of it.

1 COMMISSIONER CLAYTON: Until the power goes
2 out.

3 MR. EICHHOLZ: Right. I recovered most of
4 that and so I have a history of not only my address but of
5 other addresses within the area. And Mr. Wakeman's
6 probably not going to be happy to hear this, but we are
7 trying to expand that to other subdivisions so that someone
8 will finally listen and say there's a problem. We need to
9 fix it.

10 COMMISSIONER CLAYTON: Thank you very much for
11 your testimony.

12 MR. EICHHOLZ: Thank you.

13 JUDGE DALE: At this point we've been going
14 for about an hour and a half. We would like to limit the
15 break to no more than five minutes, please.

16 (WHEREIN, a short break was taken.)

17 JUDGE DALE: Our next witness will be Mary
18 McDowell.

19 MARY MCDOWELL,
20 after being first duly sworn to tell the truth says as
21 follows:

22 JUDGE DALE: Please proceed.

23 MS. MCDOWELL: Well, thank you all for being
24 here. I really appreciate it and I'm sure most people do
25 and I apologize because I'm not better prepared. I just

1 heard about this this morning when I turned on the TV,
2 getting dressed and cleaning house so I quickly ran over.

3 I have lived at 1721 Roth Hill Drive, Maryland
4 Heights, Creve Coeur Meadows subdivision for forty-one
5 years and -- a long time -- and I had -- this year I've had
6 two major power outages, the one previously was mentioned,
7 it was on April the 29 and 30, and it lasted over thirty,
8 maybe thirty-three, thirty-six hours, I'm not real sure,
9 and the second one was the night of the 19th and I got
10 power back either the night of the 22nd into the 23rd,
11 someplace in that area.

12 The outage in April I lost my computer and so
13 when this one went -- I went around and unplugged
14 everything in the house because I just bought another
15 \$2,000 computer and I didn't want it to go. I tried after
16 the big storm to call.

17 Well, let me backtrack. In April I called
18 immediately and was told we're aware of the problem, your
19 power should be restored -- I've got it memorized -- within
20 so many hours. And actually it was restored a little bit
21 less than the predicted time, unlike the lady before.

22 In July I started calling and I had busy
23 signals and quick busy signals and I had figured a lot
24 of -- there was a lot of traffic online so I'm sure. I
25 never reached a person any time, I don't know, in the last

1 two or three years. I did, however, get a recording that
2 just said due to the number -- the large number of outages
3 there's no way we can predict when power will be restored.

4 So I stayed there that night. The next day
5 the house got very, very warm. I stayed the next night
6 thinking surely it would be on. None of us slept that
7 night at all. I have a husband that's had cancer, I have a
8 daughter with asthma, and yet I consider these minor
9 problems compared to Mr. Epstein's issues.

10 And if you do find a way, which I'm in doubt,
11 but if you find a way to address the issue of people in
12 dire need please make sure it is in dire need and not
13 somebody like me because when I drive around it seems like
14 in parking lots everybody has one of those handicapped
15 things they put up on their rear-view mirror when they park
16 and then they jump out and jog into the store. So don't
17 let it be that way. Make it be someone who really needs
18 it. And a doctor's thing I don't even think is good
19 enough, I'm sorry.

20 You talked about tree trimming. Tree trimming
21 has been at a minimum in my area. It used to be a regular
22 thing. You saw them out there at least a couple of times a
23 year. I don't see it now. However, I stated previously
24 when I had talked to the men who come out to work on the
25 lines most of them say it's a problem with the major

1 transformer and one time it was a squirrel.

2 But I've had lots of little flashes,
3 especially within the last couple of months I just noticed
4 that. I'm not home a lot when I would notice something
5 like that and usually it's with my ceiling fans or
6 something I've noticed it more than anything else.

7 I'm trying to think if there's anything else.
8 I do think that a lot of this is preventative. I mean
9 we've seen the example of Taum Sauk within the last year
10 and that was certainly preventable. I think -- I have
11 lived there so long and I don't know if they've ever
12 updated my equipment.

13 There's a major subdivision right at Dorsett
14 and 270 which is half a mile from my house. I can't say
15 that -- you know, I'm not in a rural community. Yes, we
16 have trees. We try to keep them trimmed. Occasionally a
17 limb will drop but that's not too often. We had an
18 accident at Dorsett and McKelvey one time where a car hit a
19 pole and knocked it out.

20 But it's happening more and more and more
21 often and I just feel that AmerenUE is more interested in
22 the top line profit than they are the people who are paying
23 them and they've raised our rates but our service declines.
24 So thank you very much.

25 JUDGE DALE: You did mention fast busies. Can

1 you ballpark the percentage of those calls?

2 MS. MCDOWELL: No, I can't because I called
3 day and night. I wasn't sleeping so I tried 2:00, 3:00,
4 4:00 in the morning. And back to phone service, I've never
5 lost phone service. I went out and I bought a plug in
6 phone, oh, a couple years ago just to save for those
7 emergencies.

8 I also bought a Coleman stove so we could cook
9 outside because it was too hot to be in the house even with
10 gas and I couldn't light it. We have lanterns for camping
11 that run on batteries and they were everywhere. We have a
12 little generator so we did hook up some fans because I have
13 an old cat that was sick and he needed it cooler.

14 I mean we are very well prepared considering.
15 I think we could survive almost anything because we are
16 prepared, but it was not a pleasant thing and if it happens
17 many more times I think I may move someplace else.

18 It wasn't as bad under Union Electric, I don't
19 think, but then, you know, people tell me, well, there's so
20 many more people now that they have to service. Well,
21 fine, get more equipment. The people who came in, I felt
22 very sorry for the men that were working on those lines. I
23 know they came from all over the state. We truly -- I mean
24 we would applaud them as they went through the
25 neighborhood.

1 I got my power back -- let's see, my neighbors
2 across the street got it like the next day. Everybody
3 around us had it at both ends of the subdivision. I live
4 in that little pocket in the middle. We are kind of the
5 older area and yet there are houses across the street
6 farther down that are older too.

7 So, you know, you drive the subdivision,
8 there'll be lights and you think oh, good, and then you get
9 to your house and it was dark and this went on, like I
10 said, for over at least three days, four days.

11 I don't have documentation from previous
12 years, but boy, it's happened about two times in one year,
13 lose computer, throw out hundreds and hundreds and hundreds
14 of dollars worth of food. Not good.

15 JUDGE DALE: Thank you. Are there questions
16 from the Commission?

17 COMMISSIONER GAW: Do you have above or below
18 ground?

19 MS. MCDOWELL: Do I have what?

20 COMMISSIONER GAW: Above or below ground
21 lines.

22 MS. MCDOWELL: I have aboveground.

23 COMMISSIONER GAW: Aboveground. And do you
24 know -- can you give me an idea about when Ameren has been
25 trimming trees in your area?

1 MS. MCDOWELL: Maybe I've seen a truck once
2 this year. I don't even know.

3 COMMISSIONER GAW: Did they trim the trees
4 along your --

5 MS. MCDOWELL: They used to trim -- my street
6 parallels Highway 270 and so I would see them quite often
7 on the side that backed up to the highway for some reason.
8 My side not so often. I don't think I've ever had anybody
9 in my yard, but my husband's really good about keeping our
10 limbs out of the trees.

11 COMMISSIONER GAW: So when you say the trees
12 are being trimmed that's you trimming the trees?

13 MS. MCDOWELL: I trim -- or my husband trims
14 and we still have limbs that will fall but they haven't
15 knocked out our power or any of our neighbors.

16 COMMISSIONER GAW: Have you seen Ameren
17 trimming the trees in your neighborhood and on your street?

18 MS. MCDOWELL: Yes. But it's been a long,
19 long time.

20 COMMISSIONER GAW: Give me an idea?

21 MS. MCDOWELL: I don't know.

22 COMMISSIONER GAW: Years or months?

23 MS. MCDOWELL: Six months maybe. I don't even
24 know. And it was the other side of the street.

25 COMMISSIONER GAW: Was this before the storm?

1 MS. MCDOWELL: Yeah, probably.

2 COMMISSIONER GAW: And the busy signals that
3 you were talking about, how many days did that go on?

4 MS. MCDOWELL: Until the power came back. So
5 the very last day -- the last day I got a recording that
6 did give an estimated time and it went over the estimated
7 time by hours, not days.

8 COMMISSIONER GAW: But you got a busy signal.
9 And how many days were you out?

10 MS. MCDOWELL: From the 19th to about the
11 23rd.

12 COMMISSIONER GAW: Thank you very much, ma'am.

13 JUDGE DALE: Thank you. Mr. Hutchins.

14 GENE HUTCHINS,
15 after being first duly sworn to tell the truth says as
16 follows:

17 JUDGE DALE: Thank you. Please proceed.

18 MR. HUTCHINS: My name is Gene Hutchins, my
19 address is 9447 Radio Drive in Affton, Missouri, I live in
20 south county. Initially I was going to talk on only three
21 subjects but since you got the tree trimming. I worked for
22 Shea Tree Service Company at different times from 1971 to
23 '74 as a groundsman on tree trimming crews so I'll tell you
24 what we did in the '70s.

25 But my power went out at about 7:45 on July

1 the 18th, it remained out until approximately 2:00 in the
2 afternoon on July the 23rd. I called the UE call centers.
3 I got both fast busies and also got the regular busy
4 signal. I never talked to a person.

5 At one time I got the automated message that
6 said because of the severity of the outage we can't tell
7 you when you're going to get service. That's the best that
8 I got. I stopped calling the last two days. My wife
9 called everyday two to three times a day. She never got
10 through to anybody.

11 To the issue of the utility company: Could
12 they have prevented the power outage and lessened the
13 damage caused by the storm? I have worked in finance for
14 about twenty years. I know what it's like to be in board
15 rooms when they draw up budgets, and it is my belief that
16 AmerenUE, in their contemplation and thinking, decided that
17 the legal defense of, quote, an act of God or nature,
18 unquote, is sufficiently strong enough to overcome any
19 complaint about their abysmal performance in restoring
20 service.

21 With this in mind, AmerenUE chose to reduce
22 human resources committed to repair, maintain and install
23 lines and poles. Additionally, it's known on the record
24 that they would use funds for tree trimming in their
25 easements and right-of-ways. This reduction was done

1 willfully and negligently to their duty to the public to
2 provide reliable utility service to the exclusion of
3 competitors. Specifically, we don't have any other
4 competitors for electrical service. They're supposed to
5 give us reliable electrical service; they failed.

6 They did this to achieve their profit level,
7 to meet AmerenUE internal goals, and in doing this AmerenUE
8 willingly assumed the risk of damaging their service area
9 and their customers and they thought that this could be
10 mitigated by the act of God and nature defense and that
11 reciprocating agreements with other utilities would be
12 sufficient to meet these needs. They took a willful
13 calculated risk.

14 As Missouri utility law is presently
15 structured, the retail home service customer has no legal
16 recourse for damages that are inflicted, loss of foods,
17 hotel and motel bills for those people who because of
18 health conditions have to live in a cool living space, loss
19 of medications because of lack of refrigeration. My
20 family -- I've incurred about \$600 --

21 JUDGE DALE: Mr. Hutchins, there's a water
22 fountain just outside that door if you'd like to get a
23 drink and come back. You can do that.

24 (WHEREIN, a short break was taken.)

25 MR. HUTCHINS: Thank you. I've incurred about

1 \$600 of damages. Ice is \$30, insulin was \$20. I've had to
2 repair my refrigerator, it's cost me about \$50 dollars so
3 far. I might have another \$170. The technician said we'll
4 have to wait and see. And my garage door, of all things,
5 busted because when I opened it manually, you know, grabbed
6 it, it broke. That's \$445.

7 Getting back to the law and these lack of
8 damages and the ability to collect. What's needed -- and I
9 hope you'll consider this and I'll even send it to you in
10 writing -- is a standard for service for remediation and
11 repair and a penalty that accrues to the benefit of the
12 consumer for damages, inconvenience and incidental losses.

13 I would propose that the Public Service
14 Commission make a standard to measure service outage to
15 apply damages. When thirty or more family residences or
16 retail consumers within a quarter mile radius have lost
17 their service for eight consecutive hours that should be
18 deemed to be performing below an acceptable service
19 standard. I would give the utility twenty-two hours to
20 restore service.

21 The rate payers -- if the utility fails to
22 restore service for twelve consecutive hours the rate
23 payers would be entitled to a minimum of a \$50 credit to
24 their account. For every twenty-four hour period or
25 fraction thereof after that first twenty-four hours they

1 would still get \$50 credit. When the total accumulated
2 hours equals ninety-six hours they would get, in addition
3 to all the penalties accumulated, an additional \$200
4 penalty. Using this calculation if this were to have
5 happened -- been in place when this happened to me I would
6 have had \$500 worth of credit.

7 Now it seems to me only fair that if they have
8 a franchise that says nobody else can compete against you
9 for delivering electricity, and considering how much it
10 cost you to go out and buy a generator, it seems to me this
11 is a fair way of settling up with the consumer. I would
12 hope that you would consider this. As I said, I'll send
13 this to you in writing.

14 And I really hadn't thought about tree
15 trimming. But from 1971 to '74, when I was working my way
16 through college the first time, I worked for Shea Tree
17 Service Company on tree trimming crews. If you're familiar
18 with the right-of-way that comes from -- diagonally from
19 south county to Rush Island, I was part of the crew that
20 cut down the trees there to cut down for the power lines.

21 I worked on crews that trimmed trees in
22 Fenton, Webster Groves, Sunset Hills and along Bunker Hill
23 Road. I must have spent a couple of years working on crews
24 there. What we used to do there -- and this is the
25 gentleman that was talking about the crews -- we used to

1 get a plat map, you knew where the power poles were, they
2 had an estimation of how many trees were there.

3 We had to do a production count, how many cuts
4 we made. A cut was any branch of two inches in diameter or
5 greater. I was on the ground and I'm supposed to keep
6 count of how many branches of that size that we grind up.
7 We compared the two. A daily production report was done,
8 it was mailed into the office.

9 We also had supervisors from Union Electric.
10 Not AmerenUE, Union Electric. One I remember was Mr. Glen
11 Stock. He's now retired or may be even dead. But he was
12 out there and he was checking on us if not daily every
13 other day, but that was the way that Union Electric did it.

14 I don't know if they bid out the work but we
15 were constantly busy. The policy was for the crews that I
16 worked with that they would remember rotating through
17 neighborhoods at three year intervals. In my life living
18 in St. Louis County, all my life except for the times when
19 I was in the Army, you always see all the crews coming
20 through your neighborhood at three year intervals.

21 Where I live now in Affton -- I moved there --
22 twelve years -- I saw tree trimming crews coming through at
23 approximate three year intervals until about five years
24 ago. In, I want to say February, it was the first time I
25 saw a tree trimming crew. It was from Shea Tree. And

1 interestingly enough, the leadman was a guy who was an
2 apprentice with me way back in the 1970s. We got talking
3 about it. He was telling me how lousy the business was and
4 all the people I used to work with had either quit or left
5 because there was no longer demand for the job.

6 It takes about three years to learn the ropes,
7 literally how to tie the ropes to climb the tree safely, to
8 do it right. There's only about two people that I know who
9 are now dead because they fell from trees. They took jobs
10 in other parts of the country. It's a dangerous job but
11 it's one that's needed.

12 The cuts are still the same. It's what they
13 call a notch cut. They're not there to trim your tree.
14 Your electric pole service is going to be at the highest
15 part of the pole. This is not telephones, this is not
16 cable. That's low. You can get there ten, twelve foot
17 with a pole trimmer but when you get up to electrical wires
18 and you have to climb trees you got to get up in cherry
19 pickers. It's dangerous work. You do a notch cut and
20 that's it, just enough to clear the tree.

21 Used to run into problems with homeowners who
22 didn't like the fact that they're just cutting a notch in
23 my tree and they want it shaped, they want it rounded.
24 Well, we're not there for that. And I have been on a few
25 times where you'd come along, you'd have a County policeman

1 come up there to escort you because they serve them with a
2 court order in the interest of public safety to trim that
3 tree. I haven't heard of that being done.

4 I believe that Ameren has willfully neglected
5 tree trimming to the detriment of the service to the
6 community. A twenty inch section of wire was what knocked
7 out power to a two mile stretch of my neighborhood. A
8 block over a whole tree came down and knocked down power
9 service there.

10 When the crews came in they had -- I'll call
11 it a shepherd for lack of a better word -- one person from
12 UE, a crew came in from Iowa. They, you know, went through
13 and they were installing the service. They got to my
14 house, the last -- just before they quit for that night on
15 Saturday. They came first thing on Sunday morning. They
16 put in that twenty inch section. But apparently there was
17 other damage down the street from us before the whole
18 neighborhood got through it. That's all I have to say.

19 JUDGE DALE: Thank you. Are there any
20 questions?

21 COMMISSIONER GAW: Yes. Mr. Hutchins, if you
22 could give me just a little bit of an idea about what you
23 notice today about tree trimming and how frequently you see
24 it occurring in comparison to what you have described?

25 MR. HUTCHINS: Compared to what I used to work

1 where it was they went through every three years, they're
2 now doing it maybe once every five or six years. I mean
3 that's what I'm seeing in my area in south county. It used
4 to be you could plan on clockwork you knew which
5 neighborhood they were going to do it every three years.

6 COMMISSIONER GAW: With that being the case,
7 did you see or did you see before the storm branches that
8 were intruding into the lines --

9 MR. HUTCHINS: Yes.

10 COMMISSIONER GAW: -- into your area?

11 MR. HUTCHINS: Yes. It would have been worse
12 if they hadn't come through in February and trimmed up in
13 the neighborhood where I was at. They didn't get far
14 enough down the street to get those other houses.

15 COMMISSIONER GAW: Thank you very much, sir.
16 I appreciate it.

17 JUDGE DALE: I have one question once again
18 about the fast busies. Do you have any idea what portion
19 of the calls that you made --

20 MR. HUTCHINS: In my experience every call I
21 made was a fast busy except the one time that I got through
22 to the recorded message.

23 JUDGE DALE: Okay. Thank you. Irv
24 Butterfield. Barry Silver.

25

1 BARRY SILVER,
2 after being first duly sworn to tell the truth says as
3 follows:

4 JUDGE DALE: Thank you. Please proceed.

5 MR. SILVER: I'll be as quick as possible. I
6 found out how fortunate I am after hearing everybody else's
7 story. We only lost power for a day and a half but it's
8 the constant outages that have taken place during. That
9 was a very unusual situation, a really bad situation. You
10 heard all the stories from everybody else and all the
11 problems they had.

12 I was fortunate. We had none of those major
13 problems except that we constantly have outages. Anytime
14 there's lightening in the area, anytime there's a storm in
15 the area, we wind up either flickering or losing power for
16 an hour or two hours or three hours. More just a pain than
17 anything else. It's just very unreliable.

18 We've lived here for twenty years. We're from
19 Massachusetts. When we lived in Massachusetts we had
20 hurricanes, we had ice storms, we had a lot worse weather
21 than we had here and yet we never had the kind of
22 unreliable electricity there twenty years ago that we have
23 here.

24 I live in a subdivision -- I guess I didn't
25 say where. I live in Chesterfield. I'm glad I don't live

1 in Maryland Heights, I guess. I live in the Greenfield
2 Village subdivision on Markham Lane and we've probably lost
3 it five or six times this year. I know enough so that our
4 president of our subdivision has already met with Ameren
5 about the constant outages that we've had. Our lines are
6 underground so we don't have any of the tree problems that
7 many of the people here have.

8 Our neighbors across the street seem to have
9 outages twice as often as we do. So, you know, again I'm
10 fortunate to be on the right side of the street in that
11 case compared to our neighbors. But it's enough that the
12 president of the subdivision, as I say, has already met
13 with AmerenUE to discuss what the problems are and how they
14 can be resolved and I haven't heard -- that happened maybe
15 a couple of months ago. I don't have much else to add to
16 that. I just wanted to put it on the location where we're
17 having the same problems as other people have.

18 JUDGE DALE: Thank you.

19 COMMISSIONER GAW: Real quick. Just the
20 length of time on these outages that you're describing?

21 MR. SILVER: Other than this time where we
22 lost it for a day and a half I don't think we ever lost it
23 for a full day. Actually we were out-of-town the month
24 after the storm and we came back and found that all the
25 stuff in our freezer had defrosted and such. So obviously

1 there was another outage. I think it was in August
2 sometime.

3 COMMISSIONER GAW: When they do occur you say
4 they're less than a day, but are they more than five
5 minutes, are they --

6 MR. SILVER: Oh, yeah. Yeah. I mean several
7 --

8 COMMISSIONER GAW: Can you give us an
9 estimate?

10 MR. SILVER: -- of them are hours at a time.

11 COMMISSIONER GAW: That's what I was looking
12 for. That's all I have. Thank you very much for your
13 patience.

14 MR. SILVER: Thank you.

15 JUDGE DALE: Cliff McDaniel. Frank Rassieur.

16 FRANK RASSIEUR,
17 after being first duly sworn to tell the truth says as
18 follows:

19 JUDGE DALE: Thank you. Can you please
20 pronounce your last name?

21 MR. RASSIEUR: Rassieur. I'd like to first
22 say, if you call the police department and got an answering
23 machine would you find that acceptable? If you called the
24 fire department and got an answering machine would you find
25 that acceptable? Do you find it acceptable that when you

1 call the emergency number of AmerenUE you get an answering
2 machine?

3 I live at 32 Oakleigh Lane in Ladue. I had a
4 power outage that lasted six days. I'm not here about
5 that. I am the former CEO of Paulo Products Company.
6 We're in the commercial heat treating business. That is
7 the business of tempering metal. We're a significant power
8 buyer so we've had a lot of experience with UE and
9 AmerenUE.

10 What I'm really here to do is to ask you to
11 consider -- it is something that was touched on by the
12 gentleman that talked about the tree trimming, and that is
13 to establish standards for performance. Senator Bray used
14 the phrase "getting it right." What did she mean by that?
15 Well, she meant in her case not having all these folks come
16 in here today to complain about it.

17 But I urge you to set standards that are
18 measurable for performance. You're not going to be able to
19 manage the utility and tell them how to run their business
20 but you can demand outcomes. You can demand that they
21 record and produce measurables that will substantiate the
22 outcome. You're asking this question, Mr. Gaw, about how
23 long were you out?

24 COMMISSIONER GAW: Right.

25 MR. RASSIEUR: How often do they trim the

1 trees? What do they do about this and what do they do
2 about that? They should be providing you with the
3 information. They should provide you with the information
4 on what they can do, what their own performance standards
5 are and you should judge -- that's your job, is to judge
6 whether those performance standards are adequate and then
7 to judge whether or not they are being met and then if they
8 are not being met what are you going to do about it.

9 Well, one thing that cost them was they had a
10 triple redundant instrumentation system on a reservoir.
11 That cost them ten million dollars because they failed to
12 properly calibrate the instruments. Now that's a little --
13 that's a little much for some of these things.

14 But what I'm urging you to do is to decide
15 what it is that you want from them. Ask them what they can
16 produce for you get the measurables to measure it and then
17 judge them accordingly. What are the standards for their
18 quality system? What are their standards for handling
19 customer concerns?

20 I think if you approach it in that manner that
21 you're more likely to get the kind of outcomes that you
22 want and the probability is that you'll have fewer
23 incidents of the kind that were brought before you today.

24 I just feel like -- it just seems to me as
25 though that intuitively that there is something wrong with

1 the way that the business is being -- the way that the
2 business is being run. I don't have all the facts. But I
3 think if we had measurable standards that -- and you have
4 to be sure that those standards, when you accept them, that
5 they will actually produce for you the kind of result that
6 you want to get, that they'll -- if we perform to that
7 standard we won't have a roomful of people coming in to
8 complain.

9 Now if you have a storm you're going to
10 have -- you've got an unusual situation, but this is not --
11 this is something that's been going on for years, the
12 deterioration of the system. I mean I've seen that in our
13 business.

14 I was sitting in my office one day and it
15 looks out over a parking lot and across the street I see
16 this line go down. It's a high voltage line, 4,000 volt
17 line on the sidewalk. And I call the engineering
18 department and say, you know, we've got this down and they
19 called UE and it was corrected, but I was told that we've
20 told them repeatedly that there is a problem with their --
21 with their lines running from their sub-station to our
22 plant and didn't get a proper response on that. I think
23 that's about all I have to say.

24 JUDGE DALE: Can you tell me --

25 MR. RASSIEUR: Yes.

1 JUDGE DALE: Can you tell me where your plant
2 is located?

3 MR. RASSIEUR: Yes. 5711 West Park Avenue.

4 JUDGE DALE: Thank you. Are there other
5 questions from the bench?

6 COMMISSIONER GAW: First of all, thank you
7 very much for coming over here and thank all of you for
8 waiting.

9 MR. RASSIEUR: Well, I think you've got a
10 difficult job. You have to listen to all of us.

11 COMMISSIONER GAW: Oh, no, this is why we're
12 here. But the name of your business again? I wanted to
13 make sure I understood it.

14 MR. RASSIEUR: P-A-U-L-O Products Company.
15 We've been in business here since 1943.

16 COMMISSIONER GAW: And what is it that you
17 make there again?

18 MR. RASSIEUR: We don't make anything. We're
19 in the business of commercial heat treating. That is the
20 business of taking parts, products that are made by various
21 manufacturers, and then processing them to temper them to
22 make them suitable for use.

23 COMMISSIONER GAW: So electricity is a big
24 part of that process, I assume?

25 MR. RASSIEUR: Well, electricity is one of the

1 energy sources, one of the principle energy sources.

2 Electricity and natural gas, yes.

3 COMMISSIONER GAW: Now first of all, when you
4 mentioned statements that are measurable. I agree with you
5 completely and I want to -- there are some standards in the
6 rules currently but in my opinion -- and this is just my
7 opinion -- they are not measurable to the extent that they
8 should be and so I appreciate very much the fact that you
9 brought that topic up because it hasn't really been delved
10 into up to this point in the discussion that we've had in
11 the last day.

12 If you were looking at standards along that
13 line that would require some rule making by the Commission
14 potentially to adjust whatever standards or to make them
15 more specific than what they are, and I'm assuming from
16 what you're saying that you would be supportive of that?

17 MR. RASSIEUR: Yes.

18 COMMISSIONER GAW: In regard to your business
19 and the reliability of the system as far as your business
20 is concerned, do you have experience that indicates to you
21 that it has caused difficulty in regard to your process? I
22 keep wanting to say manufacturing process. To your process
23 of heat treating?

24 MR. RASSIEUR: We don't have frequent outages.
25 By and large it's pretty reliable.

1 COMMISSIONER GAW: Okay.

2 MR. RASSIEUR: I talked to one of our
3 engineers before coming here and the things that he
4 described to me were they're appearing on -- coming to the
5 job site without the proper equipment to make a repair,
6 stuff as simple as the proper fuses for their side of the
7 line. I think one of our difficulties has been
8 establishing communication with them. Now apparently
9 recently, within the past few weeks, we now have once again
10 a direct contact that we can -- that we can make.

11 But during this -- during a prior storm -- we
12 weren't affected by this last storm but there was a prior
13 storm. I can't remember exactly when it was. But we had a
14 severe outage at that time. It was so severe that we had
15 to bring in generators to run our equipment. And our vice
16 president of engineering and another engineer went down to
17 the Gratiot Street office to attempt to talk to them about
18 the difficulties we were having and they were escorted out
19 of the building by their security people.

20 Now this was not a violent escort. They were
21 just asked would you please leave. Now they thought that
22 this was a location where they could communicate with their
23 engineering personnel.

24 COMMISSIONER GAW: When did this happen again?

25 MR. RASSIEUR: I don't know. I mean it was a

1 prior storm earlier this -- I believe it was earlier this
2 year.

3 COMMISSIONER GAW: But within the last year,
4 that's what I'm looking for?

5 MR. RASSIEUR: Yeah.

6 COMMISSIONER GAW: Okay. All right. And
7 Mr. Wood, just for the sake of my memory. Recently I had a
8 contact from another businessman in the area of St. Louis
9 regarding reliability issues that I think I asked someone
10 to look into and if that could be -- if that could be
11 tracked down so that we can -- since we're talking about
12 these issues in this proceeding I'd like to see whether or
13 not that could also be made a part of what we're
14 accumulating on data in this matter and I don't want to
15 forget that so if you wouldn't mind tracking that down.
16 And I'll help you with that. Anyway, thank you very much,
17 sir.

18 JUDGE DALE: Thank you for coming in.

19 COMMISSIONER APPLING: I just wanted to say,
20 Frank, thank you for coming in. I know that you're
21 semi-retired. We appreciate you coming in.

22 COMMISSIONER CLAYTON: Mr. Rassieur, just
23 generally speaking we've talked about a couple of specific
24 outages but today and last night we also heard general
25 concerns about reliability on just a day to day basis. Do

1 you have any comments either personally in your home or
2 with your business about general quality of service,
3 frequency of outages, length of time of outages, anything
4 that you've observed?

5 MR. RASSIEUR: I think the observation that I
6 have is that generally that the service is good. Now I
7 want to say this one thing to you. We're in a business
8 that operates twenty-four hours a day, seven days a week.
9 This isn't an eight hour a day job. In other words, we're
10 using power all the time and generally it's reliable. But
11 the problem that you have is that when you -- that when
12 it's not there it's very difficult. I mean we're
13 integrated to the businesses of many manufacturers in this
14 area.

15 COMMISSIONER CLAYTON: That's what I'm asking,
16 though. Are you saying that generally speaking the service
17 is reliable?

18 MR. RASSIEUR: Generally speak it is reliable.
19 And the problem I think that we -- there are two problems I
20 think that we encounter. One is the ability to communicate
21 with them in the instances where the -- where a problem
22 occurs, getting a proper response, and also where we see
23 deficiencies in the system, in their system, and we talk to
24 them about it. We don't get -- we don't get an adequate
25 response in those situations.

1 COMMISSIONER CLAYTON: Is your type of
2 business in heat treating, is it the type of business where
3 if the electricity goes out does it cause harm to your
4 equipment?

5 MR. RASSIEUR: Well, I mean it potentially can
6 cause harm but you design the equipment so that if you have
7 a power failure you can handle it. So generally it does --
8 generally we're able to save the work in process. But
9 you're right, I mean it has a potential of doing that but
10 you know that you're not going to get it -- you're not
11 going to have power a hundred percent of the time so you
12 have to take steps to make a fail safe situation, which we
13 do.

14 COMMISSIONER CLAYTON: How about in your home?
15 I think you said you were in Ladue?

16 MR. RASSIEUR: Yes.

17 COMMISSIONER CLAYTON: Does your home
18 electricity work? I mean is it good quality service? Do
19 you have any outages?

20 MR. RASSIEUR: Oh, yeah, we have outages. And
21 what will happen is that they'll be working on the line
22 someplace and you're -- they just take the power out and
23 you don't know what's going to happen and bingo, you have
24 no power. And most of the time those things don't last
25 very long, you know, they may be three hours, four hours,

1 something like that and they're back, and that's
2 disconcerting but I can live with that.

3 But what I'm really here to talk about is the
4 solution to the problem and I really feel that if you get
5 into the -- into the mode of establishing standards for
6 operation and do that with Ameren, their participation in
7 that, and then see if what you agree to will give you the
8 kind of performance that you want. Something that will
9 avoid the things that you're experiencing today and then
10 measure those things and see that they are complying with
11 the standards of performance that you have agreed to.

12 COMMISSIONER CLAYTON: Thank you.

13 MR. RASSIEUR: You're welcome.

14 JUDGE DALE: Thank you, sir. Diane Schrader.

15 DIANE SCHRADER,
16 after being first duly sworn to tell the truth says as
17 follows:

18 JUDGE DALE: Thank you. Please proceed.

19 MS. SCHRADER: I'm Diane Schrader and I'm the
20 third person from Creve Coeur Meadows to speak to you
21 today, probably the biggest percentage of people that were
22 here, about our ongoing problem. I have spoken with our --
23 our ward 1 representative in Maryland Heights, Mr. Ken
24 Gold, about the problem that we're having within our
25 subdivision and he's very much aware of it, and after our

1 conversation with him I got the idea that Maryland Heights
2 had thrown their hands up because it's been an ongoing
3 problem for years.

4 It's a nucleus of a hundred homes that every
5 time we have lightening, thunder we're without power and we
6 do get surges. But when I'm saying without power, I've
7 gone to bed many a nights with my TV still on and been
8 awoken about 3:00, 4:00 in the morning when the power came
9 on. There's also been times that the power's been out for
10 a couple of days.

11 I'm starting to believe that the July storm
12 that we had was like an answer to our problems because
13 nobody just seemed to want to listen. And when I called
14 AmerenUE, the few times that I got through, the first time
15 I spoke to a young lady and she was very helpful. She went
16 in and looked at our subdivision, looked at my neighbor
17 across the street, their power outages.

18 She was able to see somehow that we had at
19 least two to three times the power outages as the perimeter
20 around us and told me that there was a problem there
21 somewhere that they just don't want to address for a small
22 nucleus of homes.

23 I had no idea when I came this morning that
24 this was going on in different areas of the city and the
25 county. I felt like we were isolated and were the only one

1 that this is happening to. I don't want to really repeat
2 anything that people in our subdivision have said.

3 In July when we had the power -- the big power
4 outage, I understand that there was a problem, that it was
5 a hundred year storm or whatever they called it. But as
6 I'm throwing away bloody meat out of my refrigerator and
7 it's dripping and I'm mopping the floor at that point my
8 husband said I just wish the president of U.E. were here,
9 because I think at that point I would have hit him with a
10 pot roast.

11 But I did understand it. We were fortunate
12 that my daughter lives in the area and we were able to
13 spend the night with her. This went on -- first of all,
14 the day that the storm hit I believe the temperature was a
15 hundred. The next night we attempted to stay in our home.
16 It was 103 that day, I believe.

17 There was no way that we could stay there so
18 we packed up our stuff and we gingerly went up our steps
19 because everything is dark, we had candles and lanterns
20 going, and we went to my daughter's. We opened all of our
21 windows in our home. I think the power came back on
22 Sunday.

23 When we returned about 2:00 or 3:00 in the
24 afternoon my air-conditioner was running, the windows were
25 wide open and I was -- air-conditioning, all of my lights

1 which was no problem because I was happy to have my power
2 back on.

3 Let's go back. I've been a resident for forty
4 years. I never had a whole lot of problems for the first
5 ten or fifteen years that I lived there but it's gotten
6 progressively worse. Power surges, outages. It's gotten
7 to be a joke in my house that when the power goes off let's
8 go to Denny's. I mean where else do you go when it's dark
9 and it's 8:00 in the evening?

10 You go to turn the radio on, you forget that
11 there's no radio. I keep a little radio and one of the
12 radio stations here in St. Louis is very good at updating
13 people on what was going on, and that was my main source to
14 the outside world.

15 I did try and call AmerenUE. I got some busy
16 signals, but mostly fast busy signals, and after three days
17 I frankly just gave up because I didn't care anymore. I
18 figured they knew about it. It was being reported. What
19 good is my little phone call going to do?

20 I had one response from AmerenUE within the
21 last, I'd say, year. We had a power outage in April. I
22 found out that one of my neighbor's trees had fallen on a
23 power line and it looked to me like it cracked the top of
24 the power line.

25 We had AmerenUE out there and the tree

1 trimming service. It was 7:30 in the evening. Needless to
2 say, by 8:30 it was getting dark. The tree trimmers had no
3 flashlights. They had nothing. They're standing there
4 looking at the destruction. The power had been off all
5 day, okay. I think it went off the night before. I
6 couldn't pinpoint it.

7 They finally came out, and Ameren, but it was
8 like 7:30, 8:00 in the evening and they were working. They
9 had to wait for some kind of a generator to get out there
10 for light. I offered to plug in his extension cord and I
11 realized I don't have any electricity.

12 So they had to go get a generator and they
13 were hanging out there on the line at 9:00 at night trying
14 to repair it. It did get repaired and our service came on
15 the next day. But for it to take twenty-four to thirty
16 hours for them to determine that a tree had fallen --
17 actually it knocked the lines down just a couple of my
18 neighbor's homes.

19 That notwithstanding, we still have a lot of
20 power outages. It's very aggravating, like I said before,
21 to look across the street and see your neighbors always
22 have their power on, always. Now the storm that we had in
23 July probably were like a lot of neighborhoods because I
24 saw extension cords running across the street. My husband
25 said what if somebody gets electrocuted? I said well, I

1 don't know what the standards are for running cords across
2 the street, but they ran them across.

3 The power went off I think on Wednesday and we
4 came home on Friday afternoon to pick up some belongings
5 right before the next storm hit and then we got another
6 dilly of a storm that Friday and their power went out on
7 Friday and it was almost like revenge because they had to
8 go a couple of days without their power.

9 My neighbor next door who was running the cord
10 had just been to the grocery and was using a cord to keep
11 her frozen things in her freezer from defrosting. She
12 ended up having to throw everything out. We not only threw
13 things out, we went dumpster looking because we didn't want
14 to put it in our trash cans because we had a week until
15 trash service came. So unfortunately some of the
16 apartments in the area got the brunt of a lot of spoiled
17 food.

18 I'm really happy that you have decided to have
19 these meetings. It let me know that I'm not the only one
20 who's having these problems. At one point -- we don't have
21 a ward that I can go to. I was going to walk around with a
22 request that people sign that I'd send into U.E. that they
23 look into the problem.

24 That was right before the July storm and right
25 before all of the stuff hit the newspapers about the

1 service and the people complaining. And I guess our four
2 days, four and a half days were nothing compared to some
3 people that were out ten and twelve days but it did bring
4 up all the problems that have been going on in the past.
5 This was like the culmination.

6 So, you know, I really hope that the hearings
7 and everything that people have to say can get AmerenUE to
8 look at us as customers. We pay for their services. We
9 expect to have somewhat reliable service, which we have not
10 had for twenty years.

11 I'm not saying it's Ameren. This was going on
12 while Union Electric had it. It's an ongoing problem that
13 they just don't want to face and I'm sure this is going on
14 throughout the city. It's up -- they need to update their
15 equipment. They need to do something about their tree
16 trimming.

17 The lady before me -- I've never seen them
18 trim the trees, I'll be real honest with you. If they did
19 it was many years ago. Most of my neighbors do take care
20 of their trees but there's some people that don't. There's
21 some people that plant their trees too close to electrical
22 wires. There's no standard.

23 And if Ameren came out and saw that these
24 trees are in the easements, that they're going to be
25 problems, then the homeowners need to be informed about it

1 too and maybe that would solve some of the problems. I
2 don't think the problems will be solved until Ameren sits
3 down and takes the homeowners into consideration and
4 there's some kind of discussion what can we do and what
5 you're going to do to solve this problem. Thank you for
6 your time.

7 JUDGE DALE: Thank you.

8 COMMISSIONER GAW: Ma'am, thank you very, very
9 much for that. It was very informative and I need to just
10 ask you one question and that is how many times would you
11 say the outages occur on a yearly basis at this point?

12 MS. SCHRADER: Probably this year we have had
13 five or six outages.

14 COMMISSIONER GAW: And that would have lasted
15 an hour or longer?

16 MS. SCHRADER: Correct. I don't count the
17 ones where, you know -- there's some times that we get like
18 surges and I do have to go around and set my microwave and
19 my clock. It's maybe out twenty minutes.

20 COMMISSIONER GAW: You're not counting those?

21 MS. SCHRADER: I'm not counting those. I'm
22 counting where it's been out a couple of hours or more.

23 COMMISSIONER GAW: And you said that you
24 haven't seen Ameren or someone on Ameren's behalf trimming
25 trees --

1 MS. SCHRADER: No.

2 COMMISSIONER GAW: -- since when?

3 MS. SCHRADER: You know, I worked so they do
4 it during the day. I don't know.

5 COMMISSIONER GAW: Well, would you have
6 noticed if your trees had been trimmed?

7 MS. SCHRADER: I would notice it if trees have
8 been trimmed. Most of the homeowners have done the
9 trimming.

10 COMMISSIONER GAW: I see.

11 MS. SCHRADER: I don't think they wait for
12 Ameren. But the incident that happened in April the
13 gentleman did not trim his tree and this was a result of it
14 being too close to the power line, lack of trimming. And I
15 really don't think Ameren is observing in certain areas how
16 bad the trees need to be trimmed.

17 When you're in a subdivision that's forty
18 years old you know you're going to have large trees. And
19 people tend to over plant trees. I've seen three and four
20 trees in their backyard. It almost looks like a forest.
21 But, you know, they don't realize when they plant them that
22 they're going to grow and get big.

23 COMMISSIONER GAW: Yes, ma'am. And I'm still
24 having a little difficulty getting the image of the pot
25 roast out of my mind.

1 MS. SCHRADER: I was a little upset. Thank
2 you very much.

3 COMMISSIONER CLAYTON: Ms. Schrader, how many
4 days were you out during -- after the storm?

5 MS. SCHRADER: We were out from, I believe,
6 Wednesday through Sunday.

7 COMMISSIONER CLAYTON: Five days?

8 MS. SCHRADER: Uh-huh. I think it came back
9 on the fifth day.

10 COMMISSIONER CLAYTON: Thank you very much for
11 coming.

12 MS. SCHRADER: Thank you.

13 JUDGE DALE: Thank you. Mattie Johnson? Bob
14 Shelton? Gene Alexander? Eugene Horwitz? Carol Faust?
15 Eleanor Fry?

16 MS. FRY: I'm Eleanor Fry. Our family
17 representative is --

18 MR. FRY: I'm on the list later but I'd like
19 to take her place if I can?

20 JUDGE DALE: Oh, Robert Fry.

21 MR. FRY: Yes. Can I do that?

22 JUDGE DALE: Yes.

23 MR. FRY: May name's Robert Fry, I live in
24 Creve Coeur. I've lived in Creve Coeur all my life. The
25 first thirty-five years my parents lived at Ladue Estate.

1 Never had a power failure growing up. I don't remember
2 any. Never heard them call me and say Bob, we don't have
3 any power. However, ten years ago they moved west of 270
4 off Ladue Road in a subdivision --

5 JUDGE DALE: I forgot to swear you in.

6 ROBERT FRY,
7 after being first duly sworn that the testimony previously
8 given was the truth and that the testimony he was about to
9 give would be the truth says as follows:

10 JUDGE DALE: Thank you.

11 MR. FRY: When they moved to the west side of
12 Creve Coeur, west of 270, to a street called Ladue Pines
13 they seemed to have much more than their share of power
14 outages. I did contact Union Electric a year ago and again
15 recently and got a list of the times that they've been
16 without power.

17 Of course they're just showing certain ones,
18 but they're showing thirteen extended ones between the
19 second half of '03, between 3/31 of '03 -- or April 1 of
20 '03 and 6/26 of '06. There's one that they're showing at
21 ninety-eight hours and thirty minutes, which I think was
22 actually closer to six days.

23 My father's eighty-two years old and he also
24 uses a sleep apnea machine. So I can understand the other
25 gentleman before us. People have different needs.

1 However, we're talking about a house in a large
2 metropolitan area, surely in lots of one acre, but why
3 four, five, six days?

4 Union Electric, I'm sure, devotes more of
5 their effort in getting areas maybe that are more densely
6 populated back on line first, apartment complexes and other
7 areas maybe, rather than the larger lot areas out in the
8 county. I too experience problems calling in. That's old
9 news. You've already heard that from everybody else's --

10 JUDGE DALE: I do want to know whether they
11 were fast busies or --

12 MR. FRY: Some of both. I talked to Susie,
13 the operator, numerous times, the automated attendant. And
14 they really should change her name. You ought to have
15 several different ones so you're not getting the same
16 person. They seem to have a lot of long problems. I have
17 a copy for you that I'll leave with you.

18 Any consumer of Union Electric is free to call
19 Union Electric at no charge, get a copy of the duration of
20 outages and so forth at their house. I think Union
21 Electric probably keeps their records maybe better than
22 somewhat what they've provided to me.

23 I'd also like to talk to say that we're in the
24 process of adding a generator to the house because of the
25 long outages. I'd also like to talk about two other

1 experiences, one of which involves our business in Earth
2 City, which has been out several times in the last year.
3 The most recent time was four or five hours. Went out
4 mid-morning, came back on about 4:30 in the afternoon.

5 When you're in the transportation business and
6 you have drivers and customers all over the country nobody
7 can call in, they can't reach you, they don't know what's
8 going on. I went and talked with the two repairmen from
9 Union Electric who were driving two different trucks.
10 There's ninety-nine businesses out. It's a beautiful sunny
11 day like today, a hundred degrees out. No storm, no
12 clouds, no nothing, and no power.

13 So I went and talked to the two guys at the
14 sub-station and they say that they've got to go from green
15 box to green box to green box. Well, these green boxes are
16 transformers or breaker boxes that are scattered all over
17 our city. They finally found the one that put us back on.
18 It was a half a block from our office and that brought up
19 the ninety-nine business in Earth City.

20 But you get two guys on a hundred degree day
21 spending four and a half, five hours pulling out large
22 steel plates out of these green boxes that you see and it's
23 a very slow, tedious job. I don't know how many other
24 areas in the city were without power but you'd have thought
25 they'd have more than two people to take care of a complex

1 as large as Earth City.

2 There's numerous manufacturing plants,
3 distribution warehouses, office blocks, hotels, the Rams
4 park. Many people have to rely on power all over. But two
5 people to take care of a thousand acre complex with
6 probably a hundred green boxes scattered around, maybe two
7 hundred green boxes, and each one has ten or fifteen,
8 twenty, thirty plates in it that have to be pulled out one
9 by one. These are big, heavy steel plates.

10 I don't know if the Commission's familiar with
11 them but there may be 12 X 24 about a half-inch thick or
12 three-quarters of an inch thick steel plates that operate,
13 I guess, with fuses or breakers for the area. It's very
14 irresponsible for Union Electric not to put more people and
15 more effort into bringing Earth City back on line. And
16 that's the same problems that you've heard over and over
17 again both from residences and other gentlemen who've
18 talked about their business problems and so forth with you.

19 JUDGE DALE: I have a couple of questions.
20 You were talking about getting a backup generator for your
21 parent's house.

22 MR. FRY: Uh-huh.

23 JUDGE DALE: What price range are you finding
24 for those backup generators?

25 MR. FRY: Probably by the time they're done

1 it'll be a twelve to thirteen thousand dollar investment.

2 They do the whole -- around the whole house.

3 JUDGE DALE: And that's --

4 MR. FRY: Natural gas, yes.

5 JUDGE DALE: -- something that will connect
6 into the gas lines?

7 MR. FRY: And go on automatically. The power
8 drops, within sixty seconds it'll pick it back up and fire
9 the generator up and they'll be back up and running. I
10 don't think at eighty-two years old my parents need to be
11 concerned about whether or not they have lights or
12 air-conditioning in the summertime.

13 JUDGE DALE: Thank you. Are there any
14 questions from the bench?

15 MR. FRY: And we're also looking to put one in
16 at our business as a result of the problem and that's a
17 much greater cost.

18 JUDGE DALE: About?

19 MR. FRY: In excess of a hundred thousand
20 dollars.

21 COMMISSIONER GAW: That'd be a large diesel?

22 MR. FRY: Closer to a hundred and fifty
23 thousand dollars is the estimate I have for installation
24 and equipment.

25 COMMISSIONER GAW: I don't have any questions.

1 Thank you very much.

2 COMMISSIONER APPLING: What kind of business
3 do you have?

4 MR. FRY: Transportation business for an agent
5 for United Van Lines, warehouse distribution and storage
6 and so forth. If you were moving from St. Louis to Los
7 Angeles and you wanted to know where your goods are and you
8 call the mover and the phones are out because of Union
9 Electric's problem you'd be concerned.

10 COMMISSIONER HEALY: I have one question.

11 MR. FRY: Yes, sir.

12 COMMISSIONER HEALY: Are the other companies
13 in that park putting in generators too or do you know?

14 MR. FRY: There are companies that have them
15 and that are adding them as a result. Four or five hours
16 can be very expensive at different times.

17 JUDGE DALE: Thank you very much.

18 MR. FRY: Thank you. Bob Schnefke. Herman
19 Jones.

20 HERMAN JONES,
21 after being first duly sworn to tell the truth says as
22 follows:

23 JUDGE DALE: Thank you. Please proceed.

24 MR. JONES: My name's Herman Jones, I live in
25 University City and I'm ordered basically in the Partridge

1 Heights community, is what it's called. It's between Page
2 and Olive right off Pennsylvania in between Partridge.
3 This area of U City is predominantly third ward. From Page
4 to Roberts Court, from Pennsylvania to Partridge we're kind
5 of like in a little separate zone in between two grids.
6 The grid from Pagedale to the grid that's on Olive Street
7 Road off of Walsh.

8 We have a continuous problem of losing power
9 in our particular area and the weird part of it is that
10 from Roberts Court south, which would be to Olive, because
11 they're on a separate side of this grid, they'll have
12 power. We've had this situation because we live -- Camden
13 Court makes one side the circle, Dover makes the other.
14 There's an island of houses in the center. They can have
15 power outside of the circle one.

16 This last major storm we had power, the inside
17 of the circle couldn't get power until -- we got ours back
18 that Sunday at about 7:30, they got there's I want to say
19 Monday, and the people up on Forest Green Court, which is
20 just the other side of Partridge, they didn't get theirs
21 back until Thursday.

22 Now this is all within -- I'm saying less than
23 a three block area. One of the problems after all this
24 being did was when they did come out and start moving trees
25 and downed limbs and stuff it became so bad it looked like

1 we actually had been hit by a lumbar yard. I mean we had
2 trees, branches, stuff to the point where they weren't even
3 picking up trash because they had to get rid of the trees
4 there.

5 Well, I'm not going to try to tell you what --
6 we didn't have the luxury of containers or big dumpers --
7 what a community starts to smell like when maybe five
8 hundred homes, six hundred homes have to lose all their
9 food, and it's now in an area where we have the fortune of
10 having the River Des Peres cut through the community so you
11 still have possums and other little creatures that's
12 running around.

13 Also with this, while this was going on, the
14 busy thing with the phones, it's just a nightmare. We
15 don't even try to call them after a certain point because
16 my wife says it's more like an exercise in futility. My
17 problem was that -- and as I spoke to the gentleman back
18 here -- was the lack of preparation for any type of problem
19 like this.

20 Now we talk about or we hear everyday people
21 talking about terrorists and our major concerns of the
22 country and stuff but if we can't handle a storm, God
23 forbid something major happens to our community. My
24 problem was that when I -- let's say if the wind blows hard
25 and we have a storm this evening, I have a one in four

1 chance of losing my power.

2 I usually go out because my wife is sick and
3 find out about what time we might get power back from the
4 linemen that are out there working. Through this I found
5 out how the grid actually works for our little subdivision.
6 My problem is that when they sent the repairmen out no one
7 knew -- I knew actually more about the grid that I was on
8 than the repairmen did.

9 The first day the repairmen got there they
10 were from all out-of-town, some from out of East St. Louis,
11 some from out of Kansas City. They had four trucks and a
12 foreman but nobody knew where the power was coming from.
13 They didn't know if it was coming from the Waldron Station
14 or it was coming from Pagedale.

15 So now you got eight guys standing there
16 basically not knowing what to do because just a few blocks
17 over from that was the incidence where the gentleman died
18 from a downed power line on George back in April, which you
19 got to represent -- I mean when you're talking 6,100 volts
20 and -- 120 volts will kill you if the amperage is right.

21 So when you're talking 600,000 volts or
22 6,100 volts it's not hard to know that somebody's life is
23 very much in danger. So you got to respect the fact that
24 guys aren't one to run up here and jump and grab a line but
25 at the same time when you got people losing -- some people

1 in our neighborhood are elderly and my parents moved here
2 in 1964. After they passed I moved back to the home.

3 There's people on the block that are into
4 their nineties. No kids, no family, nowhere to go. You're
5 calling trying to make sure they're okay. You know, we
6 were going out getting water. Arctic Ice -- a lot of
7 people didn't know, but you could go to Arctic Ice, get ice
8 bags.

9 And if you were really in that area of Page
10 the night of the storm or that area it became almost a mass
11 panic. Quiktrip was almost attacked, people trying to get
12 gas. The Schnucks in Overland Plaza, because they had ice
13 and food, people just ran there and there was actually
14 fights over ice inside the store.

15 You know, you couldn't get into any fast food
16 joint up Page because this was the only thing that was open
17 and everybody's home was down with no power. We, in the
18 year 2006, can put people on the moon, do all type of
19 surgeries that is truly miraculous, but we can't keep power
20 on in formality but yet we ask for rate hikes.

21 My problem is -- I don't have a problem with
22 the rate hike. We got to pay for what we get but let's get
23 what we're paying for. Not only that, let's get the
24 people -- there's a lot of people, a lot of young men
25 without jobs, a lot of young people who would love to have

1 a job at AmerenUE with the benefits and things that be
2 offered.

3 Let's put people to work, get these lines,
4 these problems fixed, so then if you ask me to pay you more
5 there's a reason because we got people working. Not cut
6 half of the labor force. Give me half the service and you
7 want twice the amount that I've been paying. To me that's
8 just not right. And then were some of my concerns that I
9 definitely wanted to speak to you all about. I thank you
10 for your time.

11 JUDGE DALE: Thank you, sir.

12 COMMISSIONER GAW: I just want to say thank
13 you very much for waiting and it was good to hear. You
14 brought some information to us from an area that we hadn't
15 heard from before and it was important that we heard it.

16 COMMISSIONER CLAYTON: Mr. Jones, I think
17 you're the first speaker from University City so you bring
18 a unique perspective to the testimony here today. One of
19 the first things you said, you have continuous problems
20 losing power, not just with the storm at hand. Could you
21 give me an idea how often the power does go out and for
22 what length of time?

23 MR. JONES: On an average we have typical
24 blinking and surges that a lot of homes in the area have
25 but on the average we will lose power at least five to

1 seven times a year. And when I say lose power I'm saying
2 anywhere from five hours to two days.

3 I ended up buying backup radios when I was
4 able to work -- I got hurt a few years ago -- but when I
5 was working I had radios that had battery backups because
6 it was nothing unusual. We started work at 7:00 in the
7 morning, and to go to bed at 1:00 or 12:00 at night or
8 something or watch the news and ended up you look up oh,
9 it's 7:30.

10 Well, I mean, your boss don't want to hear my
11 alarm clock didn't go off, you know. They're not buying
12 that. And the truth of it is, the power went out and come
13 back on flashing, there's no alarm set to it.

14 COMMISSIONER CLAYTON: How long have you been
15 at your address, Mr. Jones?

16 MR. JONES: Off and on since -- forty-two
17 years.

18 COMMISSIONER CLAYTON: Forty-two years?

19 MR. JONES: Yeah. My parents moved there in
20 1964.

21 COMMISSIONER CLAYTON: So it's kind of a
22 family home?

23 MR. JONES: Yes, it is.

24 COMMISSIONER CLAYTON: Were you living in the
25 house, say, a year and a half ago, 2005?

1 MR. JONES: Yes. I've lived there
2 consistently now since 1990.

3 COMMISSIONER CLAYTON: Oh, so you've been
4 there about sixteen years ago?

5 MR. JONES: Yes. My mother died there.

6 COMMISSIONER CLAYTON: I'm sorry for that.

7 MR. JONES: No problem.

8 COMMISSIONER CLAYTON: How much time was your
9 power out during that big outage in '05, do you recall?

10 MR. JONES: I want to say three days.

11 COMMISSIONER CLAYTON: Three days. And do you
12 recall the year before? Did you lose it for multiple days
13 the year before?

14 MR. JONES: I can't remember a lot about 2004.

15 COMMISSIONER CLAYTON: And you said five to
16 seven times a year from between -- out of power for five
17 hours up to two days at a time?

18 MR. JONES: Correct.

19 COMMISSIONER CLAYTON: Thank you very much for
20 your testimony.

21 COMMISSIONER APPLING: University City is an
22 old neighborhood and big trees.

23 MR. JONES: Yes. And that has been one of the
24 problems even that -- I don't know who you really would
25 address that problem with because we've had two homes, one

1 on Hazelwood and one directly across the street from me on
2 Dover Court, that because -- I believe it's because that
3 like the ground is -- the dirt isn't deep enough, that
4 instead the root, the tap roots growing deep, they grow out
5 and you have huge bases sitting on the easement between the
6 street and the sidewalk and now they're forty, fifty years
7 old and when the winds come along they're blowing them
8 over.

9 One gentleman, Robert Johnson, ex-U City
10 police officer, the storm in April, he had just finished
11 putting a new roof, windows in, and it was on the news when
12 the tree came in and took his house out, took the whole
13 living room and front part of it.

14 The neighbor across the street, Mr. Fryson, it
15 took a part of his roof out with the storm that happened
16 after the storm in July. I want to say the storm we had in
17 August is when the tree went over on his house.

18 So the problem that there's a lot of big trees
19 that -- I mean from the ecological advantage of having
20 fresh air thank God for the trees, but we need to do
21 something about when the bases are growing above ground and
22 not down into the ground.

23 COMMISSIONER APPLING: Thank you very much for
24 coming. I understand. I have a lot of friends in
25 University City and I see your plight. Thank you.

1 MR. JONES: Thank you.

2 JUDGE DALE: Margaret Crowdis. Before I swear
3 you in can you spell your last name?

4 MS. CROWDIS: Yes, I can, I'm sixty-eight
5 years old. C-R-O-W-D-I-S.

6 MARGARET CROWDIS,
7 after being first duly sworn to tell the truth says as
8 follows:

9 JUDGE DALE: Thank you. Please proceed.

10 MS. CROWDIS: I'm Margaret Crowdis, I live at
11 11258 St. John Lane. And before I forget, AmerenUE would
12 you please come and cut the branches in my backyard? I
13 have an easement. Can I cancel the easement and have you
14 take the power lines out if you don't want to cut the
15 branches?

16 MR. WOOD: Come find me afterwards.

17 MS. CROWDIS: Anyway, I wasn't here
18 fortunately for the storm but I understand that it did go
19 out. I live in St. Ann off Cypress Road. Do you know
20 where that is? I understand it did go out Wednesday night,
21 came on briefly, about thirty-six hours later, and another
22 storm knocked it out.

23 My house came back on at 10:00 in the morning,
24 whereas across the street they didn't come on until 3:00 in
25 the afternoon. I understand it was either a tree or a pole

1 that fell through somebody's -- on somebody's house on
2 Cypress Road that was part of the problem.

3 But anyways, my main thing is that I want to
4 address tree trimming. I've owned that house for
5 twenty-two years. Now the easement is in the backyard.
6 I've got four lines there going across. The tree is
7 right -- it's on the neighbor's property but it overhangs
8 my yard. It's like a forest.

9 You get all these wires, you can't see the
10 wires through the trees, you know. I have called them
11 repeatedly. I had one woman come out and say well, we only
12 do this every seven years. You'll have to wait another
13 seven years. This was originally maybe fifteen years ago.
14 To my knowledge they have never trimmed along those wires.

15 It's a big tree. It was probably in that
16 subdivision before the subdivision was built. They should
17 have taken the tree out. Now it's probably a seventy-five
18 year old tree that's leaning. I just want it to be
19 trimmed, my neighbor wants it taken down.

20 I did call them, they came out August 30. Now
21 Nelson Tree Company drove around the cul-de-sac and came
22 back. Evidently they couldn't find the number, so they
23 came back. I was looking out the picture window. The guy
24 starts walking in my driveway. I had just had cement work
25 done. So I open the door and started screaming at the

1 second guy, stop.

2 So he came back, no identification, nothing.

3 So I went out and they told me that I didn't have
4 electrical wire in my backyard. That was part of the
5 conversation. I said, I don't have electrical wires?
6 Well, those are cable. Those are -- oh yeah, those are
7 electrical.

8 I don't want Nelson Tree service to come out
9 again. They came out three years ago to cut down part
10 of -- because a branch had fallen. I said, would you take
11 those limbs that are going over my garage? They said no,
12 we only do what's ordered.

13 Maybe they should just bring the tree trimming
14 back in-house, but at least do some work because if they
15 had come out over the past twenty-two years -- I called
16 them probably about seven times. I wrote them a letter. I
17 would notice if they had trimmed around the trees.

18 I was back east, National Grid came through
19 and they just did the whole lot. They don't have a tree
20 trimming project here that I can see, you know. Anyways,
21 thank you for your time.

22 JUDGE DALE: Are there any questions from the
23 bench?

24 COMMISSIONER GAW: The tree trimming that you
25 say you haven't observed, is that -- that's more than just

1 the area right behind your house, I take it, but I want to
2 make sure I clarify that one way or the other?

3 MS. CROWDIS: I've never seen them trim
4 anything in the neighborhood, you know, but it's the
5 backyard that my concern is because the wires are all up
6 there. I hate to hire some kind of a tree trimming service
7 because I feel it's the easement that is UE's
8 responsibility.

9 And I would feel very bad if somebody -- some
10 young kid got electrocuted in my backyard, you know,
11 because they say you call them and drop a wire or whatever.
12 Well, the neighbors could be without power for about a day
13 or stuff in that type situation based on my experience with
14 AmerenUE.

15 COMMISSIONER GAW: Thank you.

16 COMMISSIONER CLAYTON: Ms. Crowdis, how many
17 days did you say you were out?

18 MS. CROWDIS: Well, it went out Wednesday
19 night and it came on -- I wasn't home. I was away. But my
20 housesitter checked it.

21 COMMISSIONER CLAYTON: That's okay. Just how
22 many days?

23 MS. CROWDIS: It was Wednesday until Saturday
24 morning, four days. Mine was out until 10:00 in the
25 morning and the other people were out until 3:00 in the

1 afternoon. And it's a below average income area. A lot of
2 people have health problems. They have seizures and stuff.
3 So it was pretty miserable for these people with health
4 problems because they couldn't afford to go to a hotel and
5 one family had just gone shopping the day before and she
6 said they had to through out an awful lot of food.

7 COMMISSIONER CLAYTON: Thank you very much for
8 coming.

9 JUDGE DALE: That was the last person signed
10 up to testify. Is there anyone else who wishes to testify?
11 Then we will go off the record.

12 (WHEREIN, the hearing concluded at 3:00 p.m.)

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CERTIFICATE OF REPORTER

I, Yvonne N. Gallagher, a Certified Shorthand Reporter and Notary Public within and for the State of Missouri, do hereby certify that the foregoing hearing was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Notary Public within and for
the State of Missouri

My commission expires September 5, 2010.

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