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STATE OF MISSOURI

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PUBLIC SERVICE COMMISSION

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TRANSCRIPT OF PROCEEDINGS

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On-the-Record Presentation

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December 27, 2006

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Jefferson City, Missouri

Volume 7

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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)

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COLLEEN DALE, Presiding
CHIEF REGULATORY LAW JUDGE
JEFF DAVIS, Chairman,
CONNIE MURRAY,
STEVE GAW,
ROBERT M. CLAYTON, III
LINWARD "LIN" APPLING,
COMMISSIONERS

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A P P E A R A N C E S

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P R O C E E D I N G S

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JUDGE DALE: We are here in Jefferson City on

Wednesday, December 27th in the matter of an investigation

of Union Electric Company d/b/a AmerenUE's storm

preparation and restoration efforts in eastern Missouri

Case No. EO-2007-0037.

Let's begin with -- well, entries of appearance,

even though this isn't a contested matter, just so that we

know who's here.

MR. THOMPSON: Kevin Thompson for the Staff of

Missouri Public Service Commission, P.O. Box 360,

Jefferson City, Missouri, 65101.

MR. BYRNE: Your Honor, Tom Byrne -- Tom Byrne

for Union Electric Company, 1901 Chouteau Avenue, St.

Louis, Missouri, 63103.

MR. MILLS: On behalf of the Office of Public

Counsel and the public, my name is Lewis Mills, Post

Office Box 2230, Jefferson City, Missouri, 65102.

JUDGE DALE: The process today will be that

Staff is going to give a presentation that outlines the

recommendations contained in the report. After that, if

any of the other participants wish to make a statement,

they certainly may do so. And after that, it will be open

to Commissioner questions. With that, let's begin.

1 RECOMMENDATIONS PRESENTATION

2 BY MR. WOOD:

3 MR. WOOD: Good morning. Staff would like to
4 start off with a brief presentation of the recommendations
5 and Staff's observations in the November 17th report for
6 the July 19th and 21st, 2006 storms in eastern Missouri.

7 On July 19th and again on July 21st, as you all
8 know, a series of severe storms passed through eastern
9 Missouri.

10 The Commission opened a docket on July 27th, and
11 Staff's report examined the outage planning and
12 restoration effort following these severe storms.

13 These storms plunged hundreds of thousands of
14 people into darkness the evening of the 19th, and, more
15 importantly, into a day, the 20th, without air
16 conditioning that was one of the hottest days on record
17 this year.

18 This was the third consecutive year that
19 AmerenUE has experienced significant major outages. In
20 2004, 217,000 customers lost service after a storm. 2005,
21 225,000 customers lost service.

22 Each of these restoration efforts took about
23 four days to get all customers back to service. Following
24 the storms on July 19th, nearly a million customers were
25 without service. In the State of Missouri, that was about

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1 646,000 customers.

2 Something I would note that's not on the slide
3 here, actually, the year 2006 had three major outage
4 events. The first was in April of this year without --
5 with a little over 200,000 customers without service.
6 Then the summer one that we're talking about now on July
7 19th and 21st. And then the recent storm, November 30th,
8 December 1st with about 270,000 customers without service
9 following the ice storm in St. Louis.

10 About 70 percent of these customers were
11 returned to service within five days following the July
12 storms. Some customers were out as long as nine days.

13 Let's talk a little bit about the storm on the
14 19th. It was unusual in its intensity and direction.
15 From discussions with the National Weather Service, it was
16 really expected to veer east rather than going through the
17 metro St. Louis area until briefly before it went through
18 St. Louis.

19 Wind speed in the storms were measured in the
20 range of 70 miles an hour with gusts up to 90 miles per
21 hour. In looking for a comparative analysis of storms
22 like this, when we refer to the structural codes in this
23 region, a 70 miles per hour wind speed with gusts up to 90
24 miles per hour represents about a one in 50 year
25 recurrence interval, which there's about a 2 percent

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1 probability of the these sort of winds being observed in
2 any particular location of the state per year.

3 This was the National Weather Service's
4 description of those storms. This was the microburst
5 downburst map. These downbursts represent areas where
6 wind speeds in excess of 75 miles per hour were observed
7 for a period of five minutes or longer.

8 Another storm passed through on the 21st. It
9 was severe as well, although the -- the records I can pull
10 from looking at National Weather Service data would
11 indicate it wasn't as severe as the 19th storm until it
12 passed into Illinois.

13 Once it passed into Illinois, its wind speeds
14 came up to 70 with gust speeds of 90 and dropped a lot of
15 tornados in Illinois.

16 The one good thing about this storm, it did
17 break the heat wave. Things finally cooled off a little
18 bit after this storm. If you overlay the form patterns
19 and the outages, I don't think there's a surprise in terms
20 of the distribution of the outages.

21 But the storm paths did largely hit the metro
22 St. Louis City and County areas very hard. This is a
23 diagram we may come back to more later. But this is the
24 -- if you go from the power plant to the customer, this is
25 largely the infrastructure that delivers that energy.

1 And I would -- I would bring your attention to
2 the area down from the bulk substation in the center of
3 the picture down to the customer's house, from here to the
4 house, as this is the area where -- where the real damage
5 of the infrastructure is occurring. This is the area
6 where we're getting a lot of the damage that's resulting
7 in customers not having power.

8 Now, let me step through the recommendations.
9 In these recommendations, there are four in particular
10 I'll draw your attention to. There's quite a few
11 recommendations, but there's four in particular given our
12 observations and discussions with customers.

13 The first recommendation we have is that there's
14 been a lot of information collected in these
15 investigations. We're not certain that all of the
16 electric utilities are necessarily on the same page in
17 terms of what we're seeing and how to deal with it. And
18 we think a round table would be a benefit for all the
19 organizations involved.

20 Second recommendation, we believe AmerenUE
21 should enhance its program for identifying downed lines
22 and making them safe. We've had some reports of down
23 lines being on the ground in a danger -- dangerous
24 situation for quite a while after a storm.

25 We believe AmerenUE should continue to maintain

0008

1 its mutual assistance agreement. I don't think there's
2 any surprise there. Our point is that they need to manage
3 those agreements as best they can, make sure that they do
4 all they can to maintain high return rates whenever they
5 call for assistance from other utilities and make sure
6 they have access to a sufficient number of utilities to
7 bring the crews necessary to do the work after a major
8 storm.

9 They should also -- and this was in the July
10 storm that was -- the cooperatives provided assistance.
11 We think they need to explore the structure of the mutual
12 assistance agreement with the associated Missouri electric
13 cooperatives.

14 Also, they should maintain or have the ability
15 to produce up-to-date maps following a major outage. We
16 had some reports of crews that had maps that were
17 insufficient to their need, and they were asking for help
18 for customers. We think there should be an ability to
19 produce those maps after a major outage.

20 Obviously, we think they should continue to work
21 toward elimination of their turning back log agreed to in
22 EW-2004-0583. And then the first of three rules, and one
23 of them we consider key -- one of the four we consider key
24 is adopting and implementing a Commission rule to require
25 each electric utility to annually submit a report,

0009

1 vegetation management program, structure, objectives,
2 status and funding.

3 The three rules that were discussed in the
4 Commission's agenda, I believe the week before last, we
5 have added standards to all of those rules based on our
6 research from other states. I have copies of those
7 marked-up rules available for discussion with additional
8 standards.

9 This is one of our -- it's not a rule, but it's
10 one of the key recommendations, probably in my view, one
11 of the most important ones in light of what we've seen in
12 the last -- you know, over this year.

13 And there's a lot of verbiage here, but what it
14 basically says is get the tree limbs clear of the lines,
15 and we need to much more aggressively get trees out of the
16 subtransmission feeder areas before hoping to improve
17 storm restoration performance in the future.

18 Next, AmerenUE should include in their -- with
19 voice response unit -- this is when customers call in and
20 they're looking for information, and, I'm going to be -- I
21 want to make payment today so I don't get disconnected.

22 And there were quite a few customers calling in
23 with those kinds of calls during a major outage. And we
24 were saying, you know, we ought to do something so that,
25 you know, people understand they're not out doing

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1 disconnects today for no pay. Let's wait till after the
2 storm outage to deal with that.

3 Next recommendation, Ameren should continue to
4 discuss with AT&T call gapping. And we understand
5 discussions have been ongoing. This issue may well be
6 resolved, and I think Ameren and AT&T may be able to
7 provide some input on that today if you have any questions
8 on it.

9 Also, Ameren UE should provide customer
10 registration on its web site to ensure customers have
11 access to customer-specific information on service
12 restoration. Basically, there's an ability to sign up on
13 their Internet for information. If you do that in
14 advance, it cuts down on some of the time delays getting
15 information after a storm.

16 Based on a lot of comments we had. In talking
17 with customers at public hearings, and I think Jackie
18 Hutchinson testified during th public hearings, it would
19 be helpful if there were some additional efforts toward
20 developing Neighborhood Watch groups.

21 We're assessing the current operation and
22 survival group and its ability to help special needs
23 customers during an extended outage.

24 Also, AmerenUE should continue to make efforts
25 to improve participation in the storm schools it offers.

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1 There has been participation in those program. Given our
2 discussions with State Emergency Management and City and
3 County EOC officials, I think there's opportunity for more
4 participation in those programs.

5 Also, something that came out of Washington
6 County, the Potosi area and speaking with the SEMA
7 coordinators there, AmerenUE should further enhance its
8 communications of field crews. At times, it was unclear
9 if crews could cut damaged trees in order to access right
10 of way to repair -- repair damage.

11 It's my understanding they do have that -- that
12 right, and we need to make sure that crews are aware of
13 that and that that doesn't become a point that delays
14 their efforts after a major outage.

15 Also, while centralization of AmerenUE's storm
16 restoration process has brought about some efficiencies,
17 there are times, in some particular circumstances, where
18 we're aware of the ability of a local mayor or emergency
19 operating center official's ability to get a hold of a
20 district manager in their particular region and put
21 priority on a project would be beneficial.

22 It's my understanding that Ameren may believe
23 that is the process now. If it is, we need to enhance
24 that because there were some difficulties following the
25 storm in July. Some efforts that really we think more

0012

1 efficiently could have been dealt with locally had to come
2 up to the state emergency management phone call with all
3 of the officials and then come back down to Ameren to
4 prioritize certain efforts, and we think that could be
5 done more efficiently.

6 Ameren participated in the SEMA EOC phone calls
7 during this restoration effort. We believe that in future
8 outages with major utilities, it shouldn't come as any
9 surprise that having utilities participate in these phone
10 calls is essential, and we wanted to note that as a
11 recommendation.

12 I have an additional recommendation later based
13 on additional SEMA meetings we've had since our report was
14 issued related to this. A lot of verbiage here.
15 Basically, what it says is that Ameren provides an
16 emergency operations center direct number. It's "red
17 phone" that if you call this number you get a hold of
18 somebody. And it's meant for emergency -- real
19 emergencies where something needs to be brought to the
20 attention of the emergency operations center at Ameren
21 promptly.

22 This number is -- you know, it serves a purpose,
23 but there were occasions following the July 19th and 21st
24 storms where these numbers were being distributed broad --
25 maybe more broadly than they should have been or the

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1 people who had the number didn't understand what its
2 purpose was.

3 There were phone calls coming in that we didn't
4 really -- we really don't want to be taking emergency
5 operations center people to deal with that. There were
6 probably better ways to address -- to deal with those
7 issues.

8 A recommendation in telecommunications, the
9 Commission may want to give consideration regarding
10 back-up power requirements or battery reserves for digital
11 line carrier and node locations.

12 In general, the vast majority of customers
13 continued to receive service when their telephone lines
14 were still up on the poles because of back-up generation.
15 But there were some cases where we observed some problems
16 because of lack of back-up generation.

17 Another recommendation for water, and that is
18 other ways to get boil water information out. A lot of
19 customers following a major storm don't have access to the
20 normal media that they go to. The way they would have
21 found out about a boil order, we heard several occasions
22 of people coming into a public hearing and the boil order
23 was over before they ever found out there had been one
24 issued.

25 Another one on water, and that is, needs to have

0014

1 on-site backup generators installed or have access to
2 portable generators. We had areas where -- you know,
3 significant pumping stations where pressure is preserved
4 so you can avoid the need for a boil order.

5 The second of three rules in Staff's report,
6 another one of the key recommendations, and this relates
7 to reliability metrics, programs for attaining, improving
8 these metrics. We have looked at -- based on Commission
9 discussion the last agenda on this, we have looked at a
10 number of standards that can be placed in rules regarding
11 reliability metrics.

12 One of the states we went to was Pennsylvania.
13 The last of four key recommendations that I'm pointing to
14 in the report, and this is the third of three rules, and
15 that is adopting a rule regarding infrastructure, you
16 know, inspection and maintenance programs.

17 And this somewhat ties back to the third rule,
18 but it relates to our observations on distribution of pole
19 replacement rates. We think there may be some -- you
20 know, some need there. And we put down a couple of
21 recommendations as to -- Ameren categorized what's
22 appropriate going forward regarding your distribution
23 poles.

24 There were some additional recommendations based
25 on a "hot wash" meeting. It's basically sort of a

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1 debriefing with state emergency management after a major
2 disaster. And we talked about, you know, a lot of
3 agencies and officials from around the state that
4 participated in the effort come, and we talked about what
5 worked and what -- what didn't.

6 Some of the additional recommendations are that
7 AmerenUE provide address and phone number information to
8 City and County EOC officials for customers who have
9 customer-owned equipment damage.

10 Basically, this sort of a situation, you can see
11 this is the service drop. This is the knob owned by the
12 customer. And then there was a brief -- a short section
13 of conduit, and all this has been pulled off the house by
14 a large limb that was here.

15 EOC officials would like to have the information
16 on the customers in this situation because they -- one
17 thing they're thinking about is they may be able to work
18 with them on getting people out that can repair that.
19 And they also think there may be some funds available to
20 help certain qualifying customers pay for that work.

21 And the second one here is maintain a list of
22 qualified electrical contractors that can repair
23 customer-owned electric equipment. And this -- it wasn't
24 certain in the SEMA meetings if it would be Ameren that
25 would do this or the emergency operations center would

0016

1 maintain that kind of a list.

2 But, you know, you suddenly get a lot of phone
3 calls, people wanting to find this kind of information.
4 They're really not sure quite where to go.

5 Another one here, and that is modifying the
6 current medical equipment registry letter. Basically, put
7 a brief blurb in there that permits that when the customer
8 is signing on they're agreeing that Ameren can provide
9 name, address and phone number information to emergency
10 operations personnel in the City and County, wherever the
11 disaster occurred because, you know, there was the ability
12 to walk door-to-door.

13 And some information was available in terms of
14 medical equipment registry to the emergency operations
15 center officials, but they were indicating that there was
16 hesitancy due to the personal disclosure issues to get
17 phone information, and they wanted that.

18 And, finally, this comes back to one of the
19 other recommendations Staff had in the report. But rather
20 than just participate in the phone calls, SEMA noted it
21 would be very helpful if they had had a utility
22 representative who could make decisions at the SEMA EOC
23 operations center.

24 At this time, it would have been Ike Skelton.
25 And the reason they noted the particular importance to

0017

1 consider that, there were utility restoration crews stuck
2 on Interstate 70 heading east.

3 At one point in time, there was a 30-mile backup
4 of traffic that wasn't moving, and it wasn't going to get
5 anywhere. And it -- at SEMA, it was the view that if they
6 had had the ability to coordinate early on with Ameren,
7 they may have been able to suggest some routing or try to
8 clear some paths to get those crews through instead of
9 having them stuck in traffic jams.

10 That concludes my presentation.

11 JUDGE DALE: Thank you, Mr. Wood. Are there any
12 other parties would wish to make a recommendation?

13 MR. BYRNE: Your Honor, AmerenUE would like to.
14 And, Ron Zdellar, who is our Vice President of Energy
15 Delivery is going to make that presentation. And he'll be
16 available to answer questions.

17 JUDGE DALE: Great. Thank you.

18 RECOMMENDATIONS PRESENTATION

19 BY MR. ZDELLAR:

20 MR. ZDELLAR: Good morning. First off, I want
21 to mention it's a pleasure to be here today. I think that
22 there's a lot has gone on around these storms this last --
23 actually, fourth year now that hasn't totally been played
24 out, so it gives us a chance to come before this
25 Commission and put a perspective in terms of our view of

0018

1 what has transpired.

2 First of all, I think I really want to
3 compliment the Commission Staff in their report. And we
4 have responded to the recommendations in the report. The
5 last few that were delivered by -- by Staff actually came
6 out of a -- a FEMA meeting that took place after the
7 storm. And we didn't -- had not seen those
8 recommendations until -- until yesterday. But we are in
9 agreement with those recommendations as well. So we are
10 almost in complete agreement with their recommendations.
11 And I'll talk just a hair about that a little bit later in
12 terms of some of the things.

13 First off, these storms of the last few years
14 have been extraordinary in nature. I went back to look at
15 just some data briefly, and I have much more to talk about
16 in question time.

17 But just -- just a matter of record, I went back
18 and looked at the money -- the amount of money we spent in
19 terms of restoration after storms. And when I looked at
20 the years 2000, 2001, 2002, the average is about
21 \$4 million a year.

22 In the years '03, '04 and '05, that average
23 jumped to \$12 million a year. It tripled. For 2006,
24 before the ice storm, AmerenUE had spent \$64 million
25 repairing damage from storms. That's the kind of

0019

1 significant damage that we've had from these storms.

2 Staff mentioned the wind speed, 95 miles an hour
3 gusts, those kinds of things. In the Staff report,
4 there's also indications of damage within the City to the
5 extent of buildings being knocked down, railroad cars
6 being blown off tracks. That's the kind of weather we've
7 seen. So it's -- it's an enormous impact on this company,
8 and it's an enormous impact on our customers.

9 As Staff mentioned, we had probably the hottest
10 day of the year after the July storm, and we had the
11 coldest day of the year after the ice storm. The impact
12 on our customers, believe me, is significant. We know
13 that. We've pulled all the stops to get restoration in
14 place.

15 We believe we do an exceptional job in moving in
16 terms of restoration effort, and Staff, I believe,
17 supports that in what we did in July. And if you review
18 the ice storm, I think you'll see the same thing.

19 Again, the focus is our customers and what can
20 we do differently? I think this Commission is to be
21 complimented by responding quickly and basically asking
22 Ameren -- Ameren to come up with suggestions for
23 improvement going forward and preventing outages and
24 speeding the restoration effort.

25 We are preparing documentation for our July 4th

0020

1 response to the Commission. We think that's a very
2 appropriate task to do that and look forward to open up
3 dialogue around a lot of issues in terms of what can be
4 done.

5 As mentioned earlier, there's no silver bullet.
6 These are extraordinary storms. Things are not the way
7 they used to be, and we can't be the way we used to be.

8 Just a closing comment. I think one of the
9 issues that's come forward within this whole discussion is
10 the lack of transparency in terms of what we do as a
11 company. And I think the reports the Commission Staff has
12 recommended in terms of reporting around reliability,
13 around tree maintenance and what we're doing in terms of
14 expenditure are on target.

15 In fact, our response to the Commission, Staff
16 recommendations around what we're doing with pole
17 maintenance was to provide a whole list of things that we
18 believe we ought to be reporting on around various
19 elements of our system, time lines and description of what
20 we do. And we were more than willing to report that to
21 the Commission on whatever basis you want and maintain a
22 commitment to achieving those activities. So we look
23 forward to opening this dialogue going forward.

24 We think it's an important time for the State of
25 Missouri, and it's an important time for this Commission

0021

1 to be involved in this kind of activity, and we fully
2 support it. Thank you.

3 JUDGE DALE: Thank you. Are there other
4 parties? Then we will open it up to Commissioner
5 questions. Chairman?

6 ANSWERS GIVEN BY WARREN WOOD

7 BY CHAIRMAN DAVIS:

8 Q Mr. Wood, can you just refresh for everyone here
9 in our audience what your title is again?

10 A Utility Operations Division Director.

11 Q What does -- what does that mean?

12 A Basically, oversee the -- oversee the
13 Engineering Operations and the Energy, which includes
14 electric and gas, manufactured housing,
15 telecommunications, water and sewer utilities.

16 Q Okay. Is it a common practice in your -- in
17 your job to review customer complaints?

18 A Yes.

19 Q Have you reviewed customer complaints regarding
20 AmerenUE unrelated to the storms?

21 A Yes.

22 Q I'm specifically referring to those that are of
23 a general reliability nature.

24 A Yes. As recently as yesterday.

25 Q Okay. Now, Mr. Wood, is it fair to say that

0022

1 Ameren is the largest utility --

2 A Yes.

3 Q -- electric utility in the state?

4 A Yes.

5 Q But when you normalize those numbers out, you
6 know, on a -- on, say, a per capita or per household
7 basis, do you receive more complaints about AmerenUE's
8 service than you do about other utilities in this state?

9 A Yes.

10 Q Why do you think that is?

11 A In some regions of the state, especially south
12 of St. Louis, we've had a number of reliability issues
13 brought up by customer groups outside of major storm
14 outages. I know that there are -- in terms of the worst
15 performing circuit reports, there are some areas in their
16 system that need quite a bit of upgrading. Some of that
17 upgrading is currently taking place. But we have heard,
18 it seems, a disproportionate number of reliability
19 complaints from those areas in the state.

20 Q Can you identify for this Commission what
21 specific areas you think are in -- in need of attention?

22 A Potosi, Washington County and some individual
23 customer groups down near the boot heel.

24 Q It's also fair to say that -- that Ameren does
25 not have the oldest distribution system. Is that fair to

0023

1 say?

2 A That is true. In looking at the age of
3 retirement studies for electric utilities in the state,
4 Ameren's system is neither the youngest or the oldest.

5 Q How many of those systems have you reviewed?

6 A Six.

7 Q And where would you rank Ameren's system?

8 A Poles, second. Circuits, I believe -- if I can
9 check real quickly?

10 Q Certainly.

11 A Yes. Utility poles, second.

12 Q Second oldest or second youngest? I'm sorry.

13 A Second youngest.

14 Q Second youngest.

15 A And in terms of distribution conductors and
16 devices, third youngest.

17 Q Okay. So there are other systems out there that
18 are older that proportionately you don't get as many
19 complaints on. Is that a fair statement?

20 A Yes.

21 Q Okay. Mr. Wood, is it -- is it fair to say that
22 there are really two or maybe three different issues here
23 that you have the -- the general reliability problems that
24 -- that some people encounter day-to-day, you know, the --
25 the reliability issues, the maintenance of the

0024

1 distribution system up to the storm and then the response
2 after the storm?

3 A If -- if I understand correctly, your three
4 points were the maintenance of the system and day-to-day
5 reliability.

6 Q Uh-huh.

7 A That's one. The preparation for storms, you
8 know, the day before -- you know, for the years before the
9 storm arrives, and what you do the day the storm does
10 arrive.

11 Q Uh-huh.

12 A Yes. I will consider those three primary
13 issues.

14 Q Okay. If you were going to assign a numerical
15 score to Ameren's performance in those three areas based
16 on a scale of 1 to 10, 1 being the worst, 10 being the --
17 the best, how would you score Ameren in each of those
18 three areas?

19 A One worst, ten best?

20 Q One worst, ten best.

21 A Okay. With five being average?

22 Q Five being average.

23 A Okay. In terms of maintenance, the maintenance
24 reliability effort, you know, in terms of day-to-day
25 reliability, this is outside of anything related to storm

0025

1 restoration or reliability as its impacted by major
2 storms.

3 Q Right.

4 A You know, if five is average, I would give
5 AmerenUE a five today.

6 Q Okay.

7 A In terms of storm preparation, the things they
8 do to prepare for major storms, and this includes, you
9 know, maintaining supply lines for equipment, keeping
10 access in mutual assistance agreements, having storm
11 response trailers available and having a dispatch center
12 analysis system for keeping track and dispatching crews,
13 and then including issues like storm hardening of the
14 system for major storms.

15 I'll give you a straight number on that, but I
16 note some portions of it are better than other parts.
17 Okay? But if you weigh it all together and give it a
18 number --

19 Q Okay.

20 A -- I've give it six to seven, six and a half.
21 Okay?

22 Q Okay.

23 A You go to --

24 Q What part -- what parts are better than that,
25 what parts are worse than that?

1 A Thank you. I kind of hoped you'd give me an
2 opportunity there. If you look at having storm trailers
3 with equipment in them available for use, having
4 agreements in place with shopping centers, hotels, food
5 distribution, mutual assistance agreement, numbers to call
6 to bring in crews, things like that, you know, I think
7 those are on the higher end.

8 In terms of looking, there are other utilities
9 in the state. You know, Ameren should be pretty good at
10 that. They've had a lot of practice over the last couple
11 of years.

12 And then in areas like storm hardening the
13 system where we talk about clear cutting feeder
14 subtransmission systems to cut down on the damage from
15 storms, you know, that feeds into what I consider our most
16 important recommendation in our report, and that is the
17 one to more aggressively clear trees from those lines and
18 increase the clearances of trees from lines generally
19 throughout their system.

20 I would rate that somewhat average or a little
21 below average. And part of that is because of the high
22 percentage of back call routed lines, but some of it is
23 the trimming clearances haven't been where I think it
24 would be ideal. Okay? And you had one last item --

25 Q Yes.

1 A -- and that was what they do the day after the
2 storm has arrived. You -- I've noted some of the
3 reservations in terms of map availability, things like
4 that. But storm restoration overall in terms of the
5 number of crews they bring in, how quickly they bring in,
6 their rate of restoration per restoration worker that's on
7 site and the percentage of broken infrastructure following
8 major storms, according to all the different numbers I
9 can, you know, run through from past storms, they
10 consistently beat the averages. And by quite a bit in
11 some areas. So in that area, I'd give them eight and a
12 half, nine.

13 Q Now, Mr. Wood, is -- as part of your report, was
14 there any attempt to survey the crews from -- that came in
15 from outside of the -- outside of the state or outside of
16 the Ameren jurisdiction about -- about their thoughts on
17 what needed to be done to im -- either improve the Ameren
18 distribution system or their handling of the storm outage?

19 A In two respects, yes. One -- and this was at
20 the dispatch centers when the trucks were coming in. If
21 we had the opportunity -- in the July storm, I think I
22 talked to three different linemen who had come in from
23 other states.

24 You know what are you -- what are you seeing out
25 there? And yes -- and those three. And so then,

0028

1 obviously, we receive, you know, public comments and
2 complaints that come into our EFIS system and e-mails and
3 phone calls from people who have a background in this area
4 that don't work for Ameren that send in those thoughts.

5 Q Right.

6 A So in those two areas, we had some independent
7 assessment of people coming into the area telling us what
8 they were observing versus what they observe in their
9 state.

10 Q Do you think that if we would have -- would have
11 sent -- you know, gotten the information from Ameren and
12 sent those -- sent those -- the people that were -- came
13 in from other jurisdictions out in the field, if we would
14 have sent them a blind survey and asked them to respond,
15 do you think we would have gotten some good feedback? Do
16 you think we would have gotten a little bit more
17 perspective?

18 A Maybe some more, yes.

19 Q Okay. Do you think there's still an opportunity
20 to do that, particularly with the most recent storm?

21 A Yes.

22 Q Do you think you can -- can look into doing --
23 doing that?

24 A Certainly.

25 QUESTIONS ASKED OF RON ZDELLAR

1 BY CHAIRMAN DAVIS:

2 Q Mr. Zdellar --

3 A Yes, sir.

4 Q -- a couple of questions. And I'm not expecting
5 -- some of these numbers, you may not know off the top of
6 your head, and you can respond in writing at a later date.
7 That's fine.

8 How many miles above ground wire -- or how many
9 -- I guess I'd have to -- and you may have to help me draw
10 these distinctions, but how many miles of above ground
11 wire -- how many miles of below ground wire did Ameren
12 have ten years ago versus today?

13 And, also, how many linemen -- and I'll just
14 lump, you know, journeymen, regular linemen, apprentices
15 in there, all -- all into one category. How many linemen
16 did Ameren have ten years ago versus today?

17 A You're correct. I don't have those numbers in
18 front of me. Obviously, the miles of underground line as
19 a percentage of the total line have gone up because,
20 typically, all new subdivisions are going in underground.

21 So I can say that that -- that percentage has
22 changed. In terms of number of linemen, including
23 apprentices, I can't give you an exact number, but my
24 sense would be that number's not changed very much. But I
25 can -- I will get you those numbers.

0030

1 Q Uh-huh. And, Mr. Zdellar, how -- you've been
2 with the company for, what, 30-plus years; is that
3 correct?

4 A Thirty-six years next month.

5 Q Thirty-plus years. Do you have any -- any
6 thoughts as to why Mr. Wood would feel like he gets more
7 complaints day in and day out on a normalized basis about
8 Ameren's distribution system than he does about other
9 systems?

10 A Well, that's the first time I -- I had heard
11 that -- that reference and in terms of per capita
12 complaints. And I must tell you, I -- I haven't thought
13 about it because I hadn't heard it.

14 But off the top of my head, I -- I can't think
15 of any off-the-cuff reason why that would take place.
16 Anything -- anything -- that would be a conjecture that I
17 would -- I would come up with.

18 Q Uh-huh.

19 A I think in recent years, if you look at numbers
20 of outages and where we've had them, particularly, as I
21 mentioned earlier, and was shown on the graph, the -- the
22 storms have significantly damaged facilities in the
23 greater St. Louis area, whereas in -- where a great
24 portion of our population is in that -- in that area.

25 So if you look at the increasing frequency of

0031

1 interruptions, the duration of interruptions brought on by
2 these weather events, I think that may be driving some of
3 the reasons in terms of the complaints from customers.
4 You know, I've often said, you know, customers, when their
5 lights go out, they go back on in a half-hour, they go
6 back on in six days, customers typically don't know why
7 they went out from an individual standpoint. And so their
8 expectation is that prompter service should be provided in
9 terms of reliability, absent any knowledge of what has
10 taken place in terms of destruction on the system.

11 So it doesn't surprise me that we're having more
12 complaints in general. But in terms of how that compares
13 to other companies, I -- I don't have a clue.

14 Q Do you understand that in other areas of
15 Ameren's operations, for instance, you know, with, say,
16 off-system sales, for instance, that, you know, the
17 company at least manifests a very aggressive approach, and
18 then with issues related to, you know, reliability and --
19 and maintenance of the distribution system, it could
20 almost give Commissioners and the Commission the
21 impression that, you know, Ameren is -- is waiting, you
22 know, for the Commission to order them to do something.
23 And I believe there are even some -- some press comments
24 out there saying to the -- to the effect that, you know,
25 we've done everything the Commission has told us to do.

0032

1 You know, why is there such a -- do you -- do
2 you see the same discrepancy? And if so, do you
3 understand how -- how some people might find that a little
4 irritating?

5 A Well, I could certainly understand the
6 perception. But let me tell you -- and that goes to some
7 of the comments I made earlier about the lack of
8 transparency in some of the things we're doing.

9 We have had a major focus on reliability
10 improvement for several years now, things like putting
11 fuses on an unfused capsule, which are our backbone.
12 We've installed over a thousand of those within the last
13 three years to try to isolate outages.

14 Customers typically wouldn't know about that.
15 We've done a lot of other things in terms of reports going
16 to our field operations or divisions around poor
17 performing circuits, and we expect our engineering staff
18 to take corrective action around those things and budget
19 in their performance. So those things are all going on in
20 our system as we speak.

21 However, as clearly indicated by the damage in
22 the storms of the past few years, that's -- that's not
23 where we need to go. We need to go someplace much further
24 than that.

25 And I think some of the Staff Commission and

0033

1 Staff recommendations going forward in terms of vegetation
2 management of removal of trees and removal of large limbs
3 is a step in the right direction. There are a lot of
4 issues around that that have to be discussed going
5 forward, property rights and public policy and a number of
6 issues.

7 But those and a lot of other things will be
8 coming forward in our -- in our January 4th report to the
9 Commission. We have a lot of ideas about things we can
10 do. But as I mentioned earlier, there's no silver bullet.
11 And the world has changed dramatically around us, and we
12 have to change with it. But it's more than just Ameren
13 can do.

14 CHAIRMAN DAVIS: No further questions at this
15 time, Judge, but I may go back and ask some more
16 questions.

17 JUDGE DALE: Certainly. Commissioner Murray?

18 QUESTIONS ASKED OF WARREN WOOD

19 BY COMMISSIONER MURRAY:

20 Q Thank you. First, I'd like to thank everybody
21 for all of the significant time, effort, resources that
22 have been put into this issue of trying to figure out how
23 to better respond to those things that nature throws at
24 us.

25 I'd like to start with a couple of questions for

1 Mr. Wood. First, Mr. Wood, I thought the Staff did an
2 excellent job of -- of the investigation, the preparation
3 of the report, the recommendations. There was obviously a
4 great deal of thought put into a difficult issue here.

5 Do you know if there have been any recent
6 comparable storms with gusts in excess of 90 miles per
7 hour in other parts of the state or other electric --
8 electric utilities served?

9 A In the state of Missouri or in the country?

10 Q Yes. In the state of Missouri.

11 A Yes, I do know of some.

12 Q And how recent were they?

13 A And are you asking outside of Ameren's service
14 territory?

15 Q Yes.

16 A Okay. I mean, obviously, we have several here
17 back to 2004. Just in a quick review of the major storm
18 reports that I've looked at through -- from the agency in
19 1982, Kansas City Power & Light had a large outage with
20 wind storm -- with wind speeds in excess of 70 miles per
21 hour and peak wind speeds estimated about 100 miles per
22 hour.

23 Q And the restoration from that -- well, first of
24 all, how many people were out?

25 A 130,000 customers.

0035

1 Q And how did the restoration efforts compare --
2 and this was 1982, you said?

3 A Yes. Took about eight days to return those
4 customers to service. And I should note, the following
5 year in 1983, Kansas City Power & Light management came to
6 the conclusion that tree-caused outages were -- had
7 reached an unacceptable level on their system and took a
8 number of different steps I can go through if you're
9 interested.

10 Q Were they some of the same steps that are being
11 recommended here?

12 A Yes.

13 Q Some of them overlapped?

14 A Yeah. Actually, I have -- if there's an
15 interest, I have hand-outs because I found it very
16 interesting going back through this issue. Yeah.
17 Basically, in late 1983, KCPL determined distribution
18 outages caused by trees had reached an unacceptable level.

19 In March of '84, they -- basically, they hired
20 Environmental Consultants, Inc., after that determination
21 by their management. And then in 1984, while the ECI
22 study was still in progress, the company experienced the
23 worst ice storm in its history, you know, where they lost
24 100 -- 160,000 customers that were out as long as nine
25 days.

1 The ECI final report was received in late 1984.
2 The recommendations included utilizing a three-year cycle
3 to cover the system, centralize the line clearance
4 function under a specified department, spend approximately
5 \$6.7 million annually for the first three-year cycle,
6 reducing by 1 million annually for subsequent years and
7 remove most volunteer trees or near lot -- or rear lot
8 easements in rural areas without customer permission,
9 remove all limbs on softwood trees which overhang
10 conductors and base clearances obtaining of trimming on
11 growth rates for individual species.

12 Then this -- this -- what this -- what I have
13 here goes through the number of trees that were trimmed
14 and hundreds of thousands of trees were removed.

15 Q Okay. I want to ask you a question about that
16 where you said remove -- what was the part about without
17 -- without permission?

18 A It says remove most volunteer trees on rear lot
19 easements in rural areas without customer permission.
20 This is basically exercising their easement right to
21 remove the vegetation all together.

22 Q Those were all specifically on the utility
23 easements, correct?

24 A It's not clarified here, but that is my
25 expectation. Yes.

0037

1 Q Okay. Was there anything done about removal of
2 trees that were outside of the easements as we've seen in
3 -- in these recent Ameren storms where the trees actually
4 were not in areas that the utility had permission to
5 remove?

6 A I don't believe the summary here of -- it's
7 referred to as the history of line clearance at KCPL.
8 It's a November 6, 1996 document, and I don't see a
9 reference to removing those.

10 Well, there is a press release -- there is a
11 news story that comes out following the storms that talks
12 about tree trimming cycle to cover the system removing
13 most volunteer trees on or -- on rear lot easement in
14 rural areas. And I don't see any reference to removal of
15 trees off the easement or right of way.

16 Q To -- to remove the trees that are not on the
17 right-of-way, is it your understanding that there would
18 either have to be permission and cooperation from the
19 property owner or legislation giving utilities the right
20 to go in and remove trees without the property owner's
21 permission?

22 A Yes. There would need to be some different
23 arrangements than currently exists in terms of the
24 utilities' rights.

25 Q Okay. Go ahead. I interrupted you.

0038

1 A Okay. Well, that was -- that was the reference
2 to the last major storm following -- in 1982 with those
3 kind of wind speeds and peak gusts velocities. And I
4 thought it was interesting to note that KCPL, you know,
5 with outside consultant hiring at that point and the
6 changes they recommended, they did implement those
7 programs.

8 There were a lot of trees removed. I would note
9 then in '96, KCP&L had their -- their largest out to date
10 following the implementation of this program. It was a
11 heavy snowfall on the trees while they still had their
12 leaves in October.

13 And then in 2002, they had the largest outage
14 they had had to date with an ice storm where they lost
15 305,000 customers, about three-quarters of their system
16 for as long as nine days.

17 Q Okay. So even with all of those improvements,
18 the -- some customers were still out as long as nine days?

19 A Yes. I would note that in comparing the 1984
20 ice storm and the 1996 KCPL heavy snow on leaves tree
21 situation, the outage duration was dropped by three days,
22 about third -- about a third.

23 And maybe it was because of better dispatch, a
24 number of different steps, but it could also be because of
25 those programs to reduce the number of trees in the areas

0039

1 that needed to be worked on.

2 Q Okay. Is one of -- is a part of your -- is a
3 part of the Staff's recommendation that Ameren remove
4 trees from the easements without permission?

5 A In the subtransmission feeder areas? If it's
6 within their easement right of way and they have that
7 right that, yes, they remove the tree and potentially
8 replace it with other decorative low-growing vegetation.
9 But that's something that would need to be discussed.

10 Q And do you know when KCP&L implemented that
11 process of removing trees from the easement areas without
12 permission? Are you aware of any problems that they ran
13 into or opposition?

14 A No. There certainly may have been, but I'm not
15 aware of it.

16 Q Do you know -- so would you be aware if there
17 were, in fact --

18 A Not without going back and researching it,
19 probably not.

20 Q Okay. Did you take notice of the recent storms
21 in the Seattle area?

22 A I did.

23 Q And the wind gusts there, I believe, were only
24 up to 69 miles per hour. Is that your understanding?

25 A There were some inland areas where the wind

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1 velocities were measured just up around 70. There were
2 some coastal areas, I understand, where the storm was
3 coming on shore, a short section there near the coast
4 where they had up to 90 miles per hour winds.

5 Q Okay. Are those the areas in which there was --
6 there were outages that -- I know they had outages that
7 lasted quite some time, and I don't have an exact number
8 of days. Do you?

9 A In some areas, I understand outages occurred for
10 as long as nine days.

11 Q Okay. And they had a million and a half people
12 and businesses out of power for -- at least in the
13 beginning; is that --

14 A Yes.

15 Q They also had several deaths?

16 A Yeah. Four. I believe there were four deaths
17 immediately after the storm. I don't know what the number
18 is now. I did hear that there were some personnel
19 injuries from crews working on the lines.

20 Q Do you know if there was an investigation
21 ordered following that storm?

22 A No.

23 Q You don't know?

24 A (Witness shakes head.)

25 QUESTIONS ASKED OF RON ZDELLAR

0041

1 BY COMMISSIONER MURRAY:

2 Q Mr. Zdellar, just a couple of questions for you.
3 In terms of the issue of tree removal, it's my
4 understanding that -- that in the recent storms, not just
5 the most recent, but in other recent storms, a large part
6 of the problem has been trees -- from trees that were
7 actually not on the utility easement. Is that correct?

8 A That's correct.

9 Q So what can be done, from your perspective, to
10 improve that situation for trees from -- from outside of
11 the areas that the utility controls are causing damage to
12 the lines?

13 A Oh, I -- I think much of that's been discussed
14 in the previous conversation here. But, in fact, right
15 now, we are doing quite a bit of removal away from our
16 right of ways and easements in certain areas where there
17 have been a lot of damage these past three years.

18 We have a -- a situation where customers have
19 been without power and they recognize that the trees that
20 are not on their easements are causing the problem.
21 There's a pretty strong willingness to let us do some
22 things in a sort of voluntary way.

23 But we do have to have permission to do that.
24 And that is part of a program that we believe going
25 forward that we -- we're going to go forward with no

1 matter what we do. We absolutely have to do that. I
2 think the question to be looked at going forward is -- is
3 what are our rights and what should be -- those rights be
4 different in the future to address these issues.

5 And the issues are different in terms of where
6 our lines are. If they're on public right of way, there
7 are issues around public right of way, public policy,
8 state rights, municipal rights. If they're on easement
9 that are on private property that's -- it's another
10 situation where you have property owners that have their
11 rights in terms of the trees.

12 So that's part of dialogue that has to take
13 place, I believe, after the first of the year. Where can
14 we go and how far can we go? But, clearly, if you do
15 remove wood, if you remove overhang, if you remove trees
16 away from your lines such that there is less vegetation,
17 eventually, that's going to pay off for you in
18 reliability.

19 That's not something that happens overnight
20 either. This is a very labor-intensive process and will
21 take some time to -- to really make a dent in what we have
22 in terms of tree interference.

23 Q Now, the -- the easements themselves, is that
24 your first priority?

25 A No. Actually, the first priority is, really, as

0043

1 was mentioned earlier, the subtransmission circuits and
2 our feeders that are predominately on street right of ways
3 and those kinds of areas. Some of those lines do go off
4 on -- off on right of ways along with our transmission
5 structures, and some of those do go on private property
6 where we would have three-phase backbone. But those would
7 clearly be the areas we would focus first.

8 And we focus much as we do in storm restoration.
9 Start at the biggest end of your business and you move out
10 the lines and you set your prioritization in terms of
11 those things that affect the most customers. Where do you
12 get the most bang for the buck?

13 Q And -- and from something you said, it sounds
14 like when you have approached people that you are getting
15 at least a certain amount of cooperation?

16 A It seems, you know, right now with a number of
17 the outages that have taken place in the last few years,
18 people are much more responsive when we come in and say,
19 you know, Hey, we've got some situations, you've got a
20 tree that's lost branches in the past. We think it's an
21 aging tree near the end of its life, what if we move it
22 for you? And quite often people will volunteer to do that
23 for you.

24 One is reliability and plus, another I've heard
25 in St. Louis and St. Louis County after this recent ice

0044

1 storm where people are having to have private contractors
2 remove trees on their property, they're getting estimates
3 of \$1500 to \$2500 to remove a tree. You know, so the cost
4 removing trees on private owners is significant. I think
5 they're recognizing now that this is a big issue.

6 Q Then one last question regarding the live lines
7 that we've heard about that have been in place for what
8 would be considered longer than acceptable period of time.
9 How are you focusing on that issue?

10 A That's a huge challenge for us. In -- in major
11 storms like this, I believe in the -- in the July storms
12 just in Missouri, we had something like 8,000 reported
13 wires down.

14 Obviously, we don't have 8,000 people to go out
15 and do something with -- with those wires. What we have
16 done is -- is significantly enlarged a response team that
17 -- that goes out and basically guards the wires until we
18 can -- until we get people out there to make it safe.

19 And what we've done is we've brought in people
20 into our service area whose sole purpose is to go out and
21 clear up those hazards to remove the people who are
22 watching the wires and making sure nobody comes into
23 contact so they can go on to the next one. So we've made
24 a significant improvement in terms of how we respond to
25 that issue. But, believe me, that's still an open issue

0045

1 because in these major storms, the volume of it is just
2 too high.

3 And we know that impacts local communities as
4 well because they typically have fire and police that --
5 that do that standby effort where there are downed wires.
6 And, of course, it ties up that resource in the local
7 community.

8 And we've -- we've talked and had discussions
9 with local communities around there as well. But, there
10 again, that's clearly a work in progress. It's something
11 we need to figure out the -- the ways to be able to manage
12 that better because it is an issue. Downed wires are an
13 issue. And we've been very fortunate that we've not had
14 serious injuries to the public in these storms with downed
15 wires, but it clearly is a concern.

16 Q But your first effort is to make sure that at
17 least some person without the skills to remove and -- and
18 replace the wire is there to make sure that the area
19 around it is safe?

20 A That's correct.

21 COMMISSIONER MURRAY: Okay. All right. I think
22 that's all the questions I have for right now. Thank you.
23 Thank you.

24 JUDGE DALE: I think before we begin with
25 Commissioner Gaw's questions, we will take a brief recess

0046

1 until that clock says quarter after. We're in recess.

2 (Break in proceedings.)

3 JUDGE DALE: Okay. We'll come back to order and
4 resume with Commissioner Gaw's questions.

5 COMMISSIONER GAW: Thank you, Judge.

6 QUESTIONS ASKED OF WARREN WOOD

7 BY COMMISSIONER GAW:

8 Q I want to -- I have a number of questions, and I
9 want to start, I think, with -- with questions that are
10 directly related to -- to portions in the report, so most
11 of those will be for Mr. Wood. There will be some -- and
12 I have a number of other questions that deal with just
13 general policy.

14 I want to say, first of all, that -- that it's
15 important from my standpoint that we find answers to -- to
16 questions that -- that I think a lot of people in -- that
17 are -- that have been impacted by these storms have had
18 and that it's important that this Commission function to
19 the best that we can in -- in producing answers to those
20 questions.

21 Whenever individuals are out of what has become
22 a necessity in life, and that is electricity, for days on
23 end and multiple times during the year, and especially in
24 light of the fact that in the St. Louis region and
25 surrounding areas, we've had outages, some storm-related,

0047

1 some not, that we've heard about or -- or had to deal with
2 in regard to reports from this Commission and Commission
3 Staff, it's -- it's really important that we -- we analyze
4 how all those pieces fit together and whether or not we
5 need to change course or recommend a changing of course so
6 that we don't quit -- we don't continue to watch this
7 movie over and over again and expect it to have a
8 different ending without changing the script.

9 And that's what I hope we get done with this
10 process is that we see something different when we're --
11 when we're completed.

12 Let me start out with page 35 of the report.
13 And some of these will just be bits and pieces, Mr. Wood,
14 and not necessarily broad -- broad topics of discussion.

15 There was a reference there that I just wanted
16 an explanation on to contractor linemen. And I want to
17 know what -- who falls into that category as a general
18 matter.

19 A The reference -- I'm assuming the 960?

20 Q Yes. And then there's a line down below that,
21 the contract linemen were not just linemen that had
22 contracts with AmerenUE, et cetera.

23 A These contracts are from Asplundh, you know,
24 different folks that could be contracted for to do
25 different types of tree trimming or line work.

0048

1 Q These were -- these were individuals that were,
2 in this case, linemen, correct?

3 A Yes.

4 Q So -- so who -- who is that? Is that -- are
5 those people that normally work with Ameren included in
6 that category but are not employees? If you don't know, I
7 can ask Mr. Zdellar.

8 A If I can go look at had some other numbers just
9 real quickly?

10 Q Sure.

11 A Okay. I don't know that all of those 960 don't
12 work with Ameren on a regular basis, so I can't --

13 Q Let me ask Mr. Zdellar, if you don't know the
14 answer.

15 A Okay.

16 MR. ZDELLAR: Yeah. Just going through those
17 numbers, the Ameren linemen are obvious. Those are
18 employees of our company. The contractor linemen are
19 contractors that typically are working on our property at
20 the time of the occurrence and also contractor linemen
21 that we acquire being released from other utilities around
22 the country.

23 So it's a combination of -- of contractor
24 employees that are working on our property at the point of
25 the storm plus others from outside, and then the -- the

0049

1 cooperative linemen, again, that's self-explanatory.

2 COMMISSIONER GAW: Right.

3 MR. ZDELLAR: And mutual assistant linemen are
4 employees of other utilities.

5 COMMISSIONER GAW: Other utilities that are in
6 the mutual assistance agreements, correct?

7 MR. ZDELLAR: That's correct.

8 COMMISSIONER GAW: But regarding the contract
9 agreements, how -- how many of those 960 would you say
10 were actually working with Ameren at the time of the
11 storm?

12 MR. ZDELLAR: I can't give you a -- any -- you
13 mean before the storm?

14 COMMISSIONER GAW: Yes.

15 MR. ZDELLAR: I cannot give you an exact number.
16 I would guess it's in the 70 to 80 range.

17 COMMISSIONER GAW: Okay. SO the -- the vast
18 majority of them, then, came in from outside?

19 MR. ZDELLAR: That's correct.

20 COMMISSIONER GAW: And would have been
21 affiliated with other utilities in some fashion by
22 contracts?

23 MR. ZDELLAR: Typically, they're -- they're
24 working off the -- off the Ameren property on some other
25 utility property.

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1 COMMISSIONER GAW: And these are linemen?

2 MR. ZDELLAR: Yes.

3 COMMISSIONER GAW: Is that correct?

4 MR. ZDELLAR: Yes. They are linemen.

5 Q (By Commissioner Gaw) All right. Now, was
6 there any offers of assistance given to Ameren from within
7 Missouri that was -- that was turned down?

8 A Question to me?

9 Q If you know, Mr. Wood. Did you ask that
10 question?

11 A Yes. And the representation provided to Staff
12 was that on page 35 starting below the table of the
13 utilities and states that helped, Duke Oklahoma Gas &
14 Energy, Northern Indiana Public Service Company Alliant.
15 Several co-ops were also contacted.

16 Q Was there -- was there any restriction on -- on
17 assistance from utilities within the state that you're
18 aware of?

19 A I'm not aware of -- I'm not aware of any.

20 QUESTIONS ASKED TO RON ZDELLAR

21 BY COMMISSIONER GAW:

22 Q Mr. Zdellar, do you know?

23 A I'm not aware of any. Your Honor, at the time
24 of the storm, there was some reluctance to let people go
25 early on because, obviously, storms were going on in the

0051

1 area.

2 After a full evaluation, I'm not aware of any
3 resistance because of reluctance to send help.

4 Q And my question is a little bit different than
5 that. My question is whether any offers of assistance
6 from within the state to provide help from linemen and
7 others who were trained to do that was turned down by
8 Ameren?

9 A I'm not aware of any. In fact, this was the
10 first time we used the cooperatives. So that was a step
11 up.

12 Q And -- and how did that come about, by the way?

13 A Basically, just, you know, conversations with
14 Associated Co-ops. And they volunteered to get involved.
15 And they sent out basically an -- an alert to their
16 membership. And, you know, we had -- as can you see,
17 there are perhaps not a huge number. In fact, a small
18 number from -- from each co-op, but it did add up to 97
19 people, which did provide some significant help to us.

20 And that's a resource that had not been used in
21 previous storms.

22 Q Is it a resource that you would use again?

23 A We used them in the ice storm.

24 Q And I don't see any municipals listed as having
25 provided any assistance. Is that -- can you explain that

0052

1 to me?

2 A I don't -- I'm not aware of any municipals that
3 we used at all.

4 Q No. I'm not either. But I'm asking you whether
5 or not there's -- there's a reason for that?

6 A I -- I can't speak to it for any reason.

7 Q Would it surprise you if -- if some municipals
8 had suggested that they had offered help to Ameren and had
9 been turned down?

10 A That would surprise me.

11 Q Do you know of any reason why they would have
12 been turned down so long as their -- their employees were
13 competent to do the work?

14 A The only -- the only reason that I can think of
15 is at the time of the offer, you know, if you were at the
16 wind-down phase of a restoration effort, then travel time
17 issues involved where it wouldn't make sense to begin the
18 process of moving people. That's the only thing I can
19 think of.

20 QUESTIONS ASKED OF WARREN WOOD

21 BY COMMISSIONER GAW:

22 Q Mr. Wood, are you aware of any of that?

23 A No. But if you have some reports on that, I'd
24 be interested in receiving that.

25 Q Okay. Thank you. On page 38, there's a

0053

1 recommendation that Ameren -- for Ameren to maintain or
2 have the ability to produce up-to-date maps of its
3 infrastructure and road to supply to crews during major
4 outage events. My question is, is there anybody that
5 you're aware of that has been used somewhere else in the
6 country, which would -- which would help facilitate crews
7 who are not familiar with the area actually finding
8 addresses and locations and how to get there in a way
9 other than just a paper map or radios back and forth?

10 A Well, one of them references the 911 maps. Once
11 again, that's a hard copy.

12 Q Okay.

13 A I'm also aware of GPS systems being available
14 through computers.

15 Q That's where I was -- that's where I was going.
16 And my question is whether or not that's something that
17 was -- was employed in St. Louis?

18 A I don't know.

19 Q It -- a G -- globing positioning system is
20 something that -- that will identify your location. And
21 it if it's tuned into software, you can locate and find
22 directions to a particular place, correct?

23 A Yes.

24 Q In fact, it's commercially available now?

25 A Yes.

0054

1 Q I'm not sure whether this is something that
2 would -- would be appropriate or not. My question whether
3 or not, again, other areas of the country might have
4 access to such a system and whether or not the Staff is
5 evaluated how -- how well it works and its relative cost
6 benefit.

7 A Well, yes. The answer to the question regarding
8 have we looked at GPS for utilities, yes. And I'm aware
9 that a number of our utilities -- I know that Ameren stuff
10 is located GPS. I wouldn't say globally that's the case
11 with Ameren. I know the co-ops have done quite a bit of
12 GPS locating with their facilities. And it is a cost on
13 -- per truck basis is relatively low.

14 Q Okay. And is it something that -- that the
15 Staff is -- is looking into as a recommendation for Ameren
16 or other utilities in this state at that as a part of --
17 of their normal way of doing business and helping to get
18 -- get crews out to locations faster?

19 And I don't know that I'm asking whether you
20 have and continue today. I'm asking whether that's
21 something you're looking at?

22 A In terms of normal day-to-day business, yes. In
23 terms of outside crews coming from other states to the
24 region, a lot -- a lot of them are bringing their own
25 trucks. Unless they have the equipment to do that, I

0055

1 don't know if the interface would work very well.

2 Q I don't know either.

3 A Yeah.

4 Q But I'm asking the question so -- so that
5 perhaps we can have some evaluation of that, whether or
6 not there's a system that has the capability of looking
7 into a central software system remotely.

8 A We will look at that for you.

9 Q I don't -- I don't know the answer?

10 A Okay. It's a good point. I'd like to look at
11 it.

12 Q On page 41 -- I need to find my exact sentence.
13 Just a second. There is a general reference there, as I
14 understand it, to trimming of trees and only being done to
15 avoid day-to-day contact. Do you see that anywhere on
16 there?

17 A The last sentence above the recommendation in
18 red, probably, where it says, While the vegetation
19 management program and AmerenUE can improve day-to-day
20 reliability, in their current form, they will not
21 significantly reduce the number of outages following
22 significant storms.

23 Q Above that, I think in the previous paragraph it
24 says, "This is because" -- maybe the whole paragraph would
25 be -- needs to be read -- "any drive through St. Louis

0056

1 along the distribution line running through a heavily
2 wooded area will quickly demonstrate to the observer that
3 AmerenUE's vegetation management program does little to
4 address large trees and limbs that pose a real outage risk
5 in a major storm. This is because AmerenUE, like many
6 electric utilities, trims along its lines to reduce the
7 frequency of incidental contacts between power lines and
8 limbs during regularly experienced winds. This type of
9 vegetation program is designed to improve day-to-day
10 reliability."

11 Now, what I -- I think you're saying there is
12 that this -- the mechanism -- or the method that is
13 currently used by AmerenUE is really not designed as a
14 tree trimming and tree removal program to do more than
15 just keep limbs from coming in contact with the lines if
16 there's any kind of a -- of a breeze or something less
17 than a strong storm.

18 A Yes. I would agree. In terms of the
19 distribution system, once you step down from transmission
20 level voltage?

21 Q Yes.

22 A I would say that is true. The upswing of that,
23 obviously, is there's sort of a scorched earth, clear the
24 ground policy.

25 Q On transmission?

0057

1 A Yes. And for good reason.

2 Q But on the distribution system, at least as
3 currently is done, there really isn't, as I understand
4 your assessment here, kind of a program that does more
5 than just avoid contact from -- from small -- small
6 matters of day-to-day winds?

7 A Right. I would agree with that.

8 Q If I were to -- does that mean that if I'm
9 looking up from the -- from the group up above to see a
10 line and then look on up above that that I will see tree
11 limbs that overhang the lines?

12 A In many areas, yes.

13 Q Now, I don't know exactly how the easements vary
14 around different parts of Ameren's territory, but I
15 suspect that they vary somewhat significantly. But I
16 don't know. I will ask you this question: Does -- if
17 Ameren has a line, do they have the ability to trim the --
18 the limbs that are overhanging the easement back to the
19 edge of the easement?

20 A Yes. I believe so. I -- I think there may be
21 some municipality exceptions to that, and I'd like -- you
22 know, if possible, you know, Mr. Zdellar may have some
23 additional thoughts on that.

24 COMMISSIONER GAW: Okay. Mr. Zdellar, if you
25 know.

0058

1 MR. ZDELLAR: I think there are some legal
2 issues around damage to trees as well. You know, you
3 can't just cut off the side of a tree, so to speak. Some
4 of these trees are within -- the trunk of the tree may be
5 within a foot or two of the easement. So if you try to
6 address all overhang, you essentially have cut off all the
7 limbs on one side of the tree. That doesn't do much for
8 the tree.

9 COMMISSIONER GAW: No, it doesn't, but --

10 MR. ZDELLAR: And, unfortunately, we've had a
11 number of situations where we've had lawsuits in terms of
12 property damage and got to pay for some of those
13 activities.

14 COMMISSIONER GAW: Now, you've just opened a
15 whole new can of discussion with me on this tree trimming,
16 which I don't know that we have time to do today. But
17 since you've brought up the subject of lawsuits and how
18 many of those lawsuits that you have been successful in, I
19 guess I would like to see that.

20 MR. ZDELLAR: I -- I certainly don't have that
21 information today. But that's something we can provide
22 you.

23 COMMISSIONER GAW: Are you telling me that --
24 that Ameren's easement rights are somehow restricted?

25 MR. ZDELLAR: Oh, definitely. Even -- even for

0059

1 trees that are growing -- even for trees that are growing
2 under our easements, we don't have unlimited ability to
3 remove these trees.

4 COMMISSIONER GAW: And -- and do you have the --
5 the legal analysis that would help us to understand what
6 those restrictions are?

7 MR. ZDELLAR: I think we can provide that.

8 Q (By Commissioner Gaw) Mr. Wood, do you know
9 what those restrictions are?

10 A No. And that's one of the things we're
11 interested in -- the Commission had requested in our last
12 agenda system, if there are some legal constraints on our
13 ability to do that work. I know there was an interest in
14 tracking that down. I don't have that today.

15 Q I have never noticed that the electric co-ops
16 have any difficulty in trimming their trees back to their
17 easement line. So it's an interesting thing that Ameren
18 seems to have that issue.

19 MR. BYRNE: Tom your Honor, if I might, you
20 know, it does -- I mean, there are varying terms to the
21 easements. And I think, you know, in general -- in
22 general, the legal principal is the -- the easement -- the
23 landowner can't use his land in a way that interferes with
24 the easement holder's use of his easement.

25 COMMISSIONER GAW: Yes.

0060

1 MR. BYRNE: But determining whether a particular
2 level of tree trimming is necessary or -- or, you know, to
3 -- to prevent the easement holder from exercising his
4 easement right is where the -- is where the fact question
5 comes in.

6 COMMISSIONER GAW: Well, I think we need to
7 explore this -- this problem, if it is a problem, because
8 it's -- it's -- what's not clear to me in regard to
9 Ameren's position is how seriously it takes this tree
10 trimming question. And, particularly, when -- when I read
11 things in the newspaper that are at least attributed to
12 representatives of Ameren and one that I would consider
13 the -- the ultimate representative of Ameren that seems to
14 say that tree trimming really doesn't matter.

15 I guess I'd ask you, Mr. Zdellar, if you agree
16 with -- first of all, did Commissioner Rainwater make a
17 statement of that sort? And, second, if he -- if he did,
18 would you tell me whether that's your position or not?

19 MR. ZDELLAR: Certainly. And I think he made
20 the statement, but I think it's in the context of what
21 Mr. Wood just represented. And that is the -- the
22 trimming practices that are currently in place at Ameren
23 and around the -- this country typically prevent
24 incidental contact with limbs during minor winds, as
25 you've so described.

0061

1 And I think, quite frankly, that kind of
2 trimming does do very little to prevent outages in major
3 storms. So I would totally agree with what our chairman
4 -- Mayor Rainwater said. And I'll continue to say our
5 point in going forward is actually removals, removals not
6 only of trees that are off our right-of-way, but also
7 removal of large limbs that's come over the right-of-way,
8 the overhang that you mentioned. But, clearly, we don't
9 have rights to do that today. And that's what the whole
10 issue is, that public policy and other things will come
11 into play.

12 COMMISSIONER GAW: Well, this is -- I'm not
13 going to belabor this issue at this moment about trees
14 that are off of your right of way. And I know that there
15 -- there may be some -- some issues and some legal
16 questions that come of that. That's fairly clear.

17 But what isn't clear to me is whether or not
18 Ameren is choosing to only trim its easement to a certain
19 degree when they may have a right to trim further. And
20 that's what I don't have an answer to.

21 What I'd like to know is whether or not there is
22 a legal restriction that prevents you from having a policy
23 of trimming these limbs back to the edge of the easement.
24 And if so, what are those obstacles? Are they varying
25 across your footprint? And are they something where your

1 policy on tree trimming varies according to your ability
2 to cut. And I'm assuming you don't have all the answers
3 to those questions today.

4 MR. ZDELLAR: That's correct?

5 A If I may.

6 Q (By Commissioner Gaw) Yes, Mr. Wood.

7 A We do have an interest in that. In the easement
8 agreements, I -- I do recognize that there is probably
9 some differences in terms of what people have signed on or
10 agreed to over time. And you've noted the cooperatives --
11 or the agreement with the cooperatives is quite broad in
12 its authority within their easements.

13 And they do clear the line out to the edge of
14 the easements both ways. And I think being a rural
15 customer, everybody out there fully acknowledges and wants
16 the co-op to continue to do that because it's too many
17 miles from our substation to the house to let the trees
18 grown in close to the line. And the fact that, you know,
19 quite often the co-ops have developed, I would say just
20 for noting, I think a very positive relationship with
21 their customers in this area.

22 I do believe it is possible to have a good
23 relationship there. You know, they come in. They offer
24 to plant, you know, magnolias, red buds, things like that.
25 They clear the trees completely on the edge of the

1 easement. They stack the wood. And if you want the
2 shavings, you can have them. And they move on.

3 We look forward to them coming out, and they
4 always do a very good job when they're in the area -- in
5 the area.

6 Q But I assume, though, that probably some
7 customers that co-ops might have issues with from time to
8 time on trimming -- trimming from those trees that maybe
9 they don't -- maybe the landowner doesn't appreciate
10 certain ones being trimmed, you would think.

11 A Most certainly.

12 Q But it does seem that those trees get trimmed to
13 me. At least that's what I've observed.

14 A Yes, they do. We have a lot of funny-looking
15 old trees that have been directionally pruned. All the --
16 limbs are pointing away from the line. There's nothing
17 going toward the easement.

18 And we do hear about sometimes people, you know,
19 going after property damage of one type or another for
20 directionally pruning something off one side of the tree
21 and eventually it falls the other direction.

22 Q So there -- there are issues there. But the
23 co-ops seem to be taking a bigger position than what I see
24 Ameren taking on its tree trimming.

25 A Yes. I would say that's probably true with most

0064

1 of our investment utilities.

2 Q If -- let's see. Let me go to -- there's a
3 statement on page 42, and I may have missed it, Mr. Wood,
4 and I apologize if you'll point me -- point it out to me.

5 At the very top, it says, "Following the August
6 2005 storms, AmerenUE's vegetation field force estimated
7 that 80 to 85 percent all tree damage was from trees
8 located off of the easement." Do you see that?

9 A Yes.

10 Q Now, can you -- did you run the background on
11 that representation to see what it's based upon? In other
12 words, is this just a statement that came in from -- from
13 Ameren's management -- vegetation management people, or
14 did you actually -- did they actually have some
15 verification of those numbers?

16 A No. There's not a verification of those
17 numbers. This is a representation from Ameren.

18 Q So we don't have any numbers of trees down and,
19 Here's the number of trees that were off easement and
20 here's the number of trees that were on easement? This is
21 just a statement from Ameren saying, This is what we
22 think?

23 A Based -- yeah. They believe their general
24 observations of the people they're working with in storm
25 restoration.

0065

1 Q Did anybody keep track of those -- those trees
2 and whether they were -- whether they were on or off
3 easement that you know of?

4 A I'm not aware of a specific program to track
5 that.

6 Q Okay. On page 44 -- and I'll have to track this
7 one, too. I believe there's a general statement there
8 that indicates that a large percentage of -- of the --
9 that there's a large percentage of tree limbs overhanging
10 lines. Is that -- is that true?

11 A You mean -- is it on page 44 here?

12 Q Either one.

13 A Okay.

14 Q Either question is appropriate for an answer,
15 whether it's on the 44 or whether it's true.

16 A The answer to the question is yes, there's a lot
17 of overhead lines, tree limbs overhanging lines.

18 Q All right. Now, in an ice storm, for instance,
19 when you have overhanging limbs --

20 A Yes.

21 Q -- is it likely that -- that -- and if the ice
22 is heavy enough that those limbs will fall and cause
23 damage without a wind?

24 A Yes.

25 Q And, again, is that -- is that a reason to trim

0066

1 the limbs back off of the top of the line?

2 A Yes.

3 Q But it's currently not the practice of Ameren to
4 do so. Would that be correct?

5 A I can't say it's the universal policy that they
6 not do that. In some cases, they may. But there's not
7 requiring it, not a policy to remove those overhangs.

8 Q All right. And you've already stated that there
9 are a large number of those overhanging limbs over the
10 lines in the Ameren service territory you've observed?

11 A Yes.

12 Q On page 45, you -- you have some discussion of
13 undergrounding of lines. And there's some reference there
14 to there being -- paying out outage history that goes
15 along with underground lines as well as overhead lines,
16 correct?

17 A Yes.

18 Q Can you give me the percentage of outages on
19 underground lines that are due to underground problems as
20 opposed to feeder problems from overhead that caused the
21 underground service to fail?

22 A No. I don't have a breakdown on that.

23 Q Is -- is it possible for us to come up with
24 those numbers? Or would that be something that would not
25 be kept by a utility?

0067

1 A In the State of Missouri, I'm not aware of
2 anybody tracking the numbers in order to do that analysis.
3 I'm aware of some studies in Florida, North Carolina,
4 Virginia and Maryland regarding undergrounding studies.
5 And I've also looked back at some of Commission history
6 with a rule that we had in effect in 1983, just some
7 evidence at that time when we rescinded the rule of
8 undergrounding.

9 Q Okay. None of those figures that you know of
10 would have those breakdowns or you would need to go back
11 and check them?

12 A The -- the numbers I would have would -- are
13 largely summarized in an EI study. And I can certainly
14 provide that if anybody is interested.

15 Q Okay.

16 A But I don't know that it's going to have the
17 kind of detailed breakdown to answer your question.

18 Q All right.

19 A It answers portions of your question, but it
20 doesn't get to exactly what you've asked.

21 Q Okay. Would it be safe to assume that the --
22 that the outages that are being reported regarding
23 underground lines do include outages that are due to
24 overhead problems that feed into the underground system?

25 A Yes.

0068

1 Q Okay. Again, on page 45, there's a sentence
2 that says something to the effect that Staff believes that
3 AmerenUE should implement programs to remove thoroughly --
4 to more thoroughly -- excuse me -- clear trees in its
5 right of way and pursue removal of trees off its right
6 away along its backbone systems, correct?

7 A Yes.

8 Q And the belief that -- that you have that that
9 should be done is that you -- you believe that that will
10 result in what?

11 A An improvement in day-to-day reliability and an
12 improvement in -- or a reduction in the amount -- severity
13 of damage following major storms, which would improve the
14 restoration time frame.

15 Q Do you know whether Ameren has in the past any
16 program that was intended to identify problem trees
17 outside of the -- the mechanism that they currently
18 employ, which is just the tree -- I assume just the tree
19 trimmers going along and trimming trees?

20 A No, I don't.

21 Q If -- would you -- would you -- would you
22 believe that that would have -- would be a good program
23 for Ameren to have, to have some mechanism of having
24 individuals try to -- to identify problem trees and
25 discuss those issues with the landowners in advance of any

0069

1 tree trimming crews coming through?

2 A It would be necessary to fully implement our --
3 our key recommendation in that area.

4 COMMISSIONER GAW: Mr. Zdellar, would you agree
5 with that?

6 MR. ZDELLAR: Definitely. We are fully
7 supportive of the Staff recommendations.

8 COMMISSIONER GAW: Mr. Zdellar, have -- have you
9 -- are you aware of whether Ameren ever in the past had
10 such a program?

11 MR. ZDELLAR: Not aware of any specific program.
12 Although from time to time over the years, we have done a
13 number of things to try to improve reliability to the
14 system, such as addressing hazard trees.

15 We've also done things many years ago in terms
16 of trying to storm-proof some circuits, distribution, but,
17 unfortunately, limited success. And that's because of the
18 major storm issue that comes -- comes with that all the
19 time.

20 COMMISSIONER GAW: Has there been -- has there
21 in the past in your 36 years in the past with Ameren been
22 a -- a different approach in regard to identifying problem
23 trees and trying to get permission from landowners for
24 trees that were off easements to be -- to be removed than
25 what you currently have?

0070

1 MR. ZDELLAR: Not -- not aware specifically.
2 We've always had a -- a program in place where we are
3 aware of repeated outages, things like that, where with
4 investigation tree-caused outages on the circuits. We
5 investigate those situations. We'll see if there's hazard
6 trees out there, and, if so, talk to the property owners
7 about removing those trees. And we currently do that
8 today.

9 COMMISSIONER GAW: If you had -- if you were --
10 if you were mistaken or just didn't recall or wasn't aware
11 of it -- of a program that Ameren had had in the past and
12 if that program would have been abandoned, can you give me
13 any explanation about why that would be?

14 MR. ZDELLAR: Well, again, I -- I wouldn't know
15 what the details -- you're talking about something that's
16 not in response to an event of some kind?

17 COMMISSIONER GAW: Yes.

18 MR. ZDELLAR: More of a routine sort of program?

19 COMMISSIONER GAW: Yes.

20 MR. ZDELLAR: My sense is what's deliverable?
21 Where is the bang for the buck? Again, you know, if
22 you're just going out looking for trees and you're -- it's
23 not part of your -- your normal process of really trying
24 to do a thorough evaluation on the circuit and its
25 reliability, you know, you might be out there just

0071

1 removing a lot of stuff that didn't need to be removed.

2 COMMISSIONER GAW: So are you or are you not in
3 favor of having some sort of a program to identify problem
4 trees on --

5 MR. ZDELLAR: I think in a broader context of
6 what we've talked about in terms of Staff recommendations,
7 we are agreeable. And that would be part of that process.

8 A Just to clarify the record, where I refer to it
9 would be key to implementing one of our recommendations,
10 it's the recommendation on page 46.

11 Q (By Commissioner Gaw) Okay. Thank you. Thank
12 you, Mr. Wood.

13 Mr. Wood, on page 46, I believe you say -- you
14 make some reference to suggesting that -- that perhaps
15 some -- some urban areas should have a three-year trim
16 cycle instead of four --

17 A Yes.

18 Q -- is that correct?

19 A Yes.

20 Q And can you tell me what you base that on and
21 the rationale?

22 A Yeah. Two things. One of them was the ECI
23 report conducted by -- on behalf of Kansas City Power &
24 Light following its major outage in 1982 where they
25 recommended that.

1 Also, in looking at some of the easements in St.
2 Louis and, you know, it's my understanding some of them
3 are as narrow as 10 feet in some areas. And you could cut
4 all the way back, you know, 5 feet each way. And,
5 frankly, four years isn't going to cut it.

6 You're going to have those tree limbs right back
7 into the line if less than four years.

8 Q Let's talk about that just a little bit. The
9 easements in some areas are narrower than they are in
10 other parts of the ter -- Ameren' territory, correct?

11 A In fact, in some areas, maybe it's a three-phase
12 line with a 20-foot, and there are some trees you could
13 put into that area, silver maple, something called a tree
14 of heaven that grows very fast.

15 Q Yes.

16 A Some of those trees, frankly, you could do
17 everything you're allowed within your easement, and in
18 four years, it would be back on the line.

19 Q And those are the kind of trees -- the trees
20 that you'd want to try to do something about with removal?

21 A Really, you'd like to get rid of them
22 altogether, the softwood species that tend to break off
23 under wind or ice storms.

24 Q Some softwood does -- softer wood trees tend to
25 break easier, correct?

1 A And I shouldn't -- and I know there's some
2 confusion with referring to softwood versus hardwood.
3 It's not versus evergreen deciduous. I'm talking about
4 woods that really do tend to break more under storms. And
5 they're --

6 Q Trees having -- trees having what's called --
7 loses its leaves in the winter just like other wood trees.
8 This is a softer wood tree in comparison to oak or
9 something or walnut, perhaps?

10 A Silver maple, you know, tree of heaven. There's
11 a number of other species, pine that you put, ice, a
12 significant wind storm on, you can drive through the
13 different neighborhoods and you can bet that's going to be
14 one of the trees that dropped its major limbs.

15 Q Now, when you're -- when you're looking at that
16 -- that area of how much easement there is, you can
17 determine some sort -- there's some sort of an average --
18 rough average of how fast trees -- tree limbs grow per
19 year. Of course, it varies according to weather.
20 But there's some sort of an average, correct?

21 A Depending on the species, it's my understanding
22 from looking at the arborous literature that there's
23 certain expectations that certain trees need to be trimmed
24 back further than others.

25 Q Yes. So in regard to that tree trimming, that

0074

1 -- that need to trim back to the edge of the easement,
2 then you -- if you trimmed back to the edge of the
3 easement, you could make some sort of an assessment of --
4 of -- a bulk percentage of the trees that would not --
5 well, let me rephrase.

6 Would you be able to determine how quickly the
7 average tree would be able to get back over the -- the
8 lines if they were trimmed to the edge of the easement?
9 , in a rough sense?

10 A In terms of, you know, for certain species or on
11 average on the trees at --

12 Q Well, just on average generally to begin with.

13 A Yes. But I would want to open that up for a
14 response potentially from people that do this every day.

15 Q We -- we may have the opportunity for that a
16 little bit later.

17 A Good. Okay.

18 Q But from the standpoint of -- of looking at this
19 three-year cycle --

20 A Yes.

21 Q -- I'm assuming that what you're -- that that --
22 that look would include how -- how far are we likely to
23 see these -- these limbs growing back within three years
24 as opposed to four years as opposed to some other
25 number --

0075

1 A Yes, yes.

2 Q -- as a part of the assessment of how often they
3 need to be trimmed.

4 A Yes.

5 Q Okay.

6 A And, also, the clearance you desire at the --
7 before the next trimming cycle --

8 Q Yes.

9 A -- historically, that has been just to trim to
10 avoid contact, basically, you know, an inch. We do see in
11 one stage where they've put in a more aggressive clearance
12 requirement. And in our draft rule, we've put in
13 something towards discussion on that topic.

14 Q Okay. I'm going to hit a few different things,
15 and I'll come back to the tree trimming in a little while.

16 On pages 50 and 52, there's this discussion
17 about individuals who were trying to reach Ameren who were
18 -- were getting busy signals or quick busy signals.

19 A I remember trying those numbers myself a few
20 times, and there were some problems.

21 Q Yes. Now, when you're looking at how often
22 people are able to -- to get -- get their calls answered,
23 let me -- and let me ask the second question really first.

24 When you're looking at the numbers here on how
25 quickly phones were answered, okay, and you have

0076

1 statistics in this report about how quickly phones are
2 answered, does that include the individuals who received a
3 busy signal?

4 A And, if possible, I'd like to ask Debbie Bersen
5 to -- see, I didn't write the whole report. I had some
6 other very good people working on it as well.

7 Q I don't -- I don't mind at all. It's whatever
8 you want to do.

9 MS. BERSEN: Is the mic on? I believe it is.

10 QUESTIONS ASKED OF DEBBIE BERSEN

11 BY COMMISSIONER GAW:

12 Q Identify yourself first, if you would, Debbie?

13 A I'm Debbie Bersen. I'm with the Engineering and
14 Management Services of the Staff of the Commission, and I
15 also worked on the report. I worked in the customer call
16 center and customer communications area.

17 Q Okay.

18 A As well as the Compliance area. I think,
19 Commissioner Gaw, what you're referring to on page 52 is
20 called average speed of answer. And it's a -- a very
21 common statistic sometimes known as ASA, it's referred to
22 that way, that all companies use within their call centers
23 to help count up how long it takes them to get to a
24 customer call.

25 And in the case of the numbers that were here,

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1 the question you brought up about the customers that were
2 getting the -- the busy signals or in some cases actually
3 like dropping off --

4 Q Okay.

5 A Their calls were also dropping off. There were
6 two technical themes that happened at the call center that
7 affected -- that caused that to occur.

8 Q I want to get into that in just a minute.

9 A Okay.

10 Q But first I'd like to know whether or not those
11 people that were getting those busy signals or were --
12 never did have any pick-up.

13 A Uh-huh.

14 Q Were -- are they included and counted in these
15 numbers?

16 A I would have to double check. My initial
17 feeling is no, they were not, because they would not have
18 even gotten to the cue.

19 Q That would be my assumption. But I wanted to
20 make sure that was correct.

21 A But I couldn't -- yeah. We can -- we can
22 doublecheck on that. But I don't even think -- normally,
23 they have to get to the cue to be counted. And those
24 customers didn't even get that far. They were dropped
25 off.

1 Q So if we're looking at what the -- the bottom
2 line on those percentages, we're really getting a
3 misleading figure, are we not, because we're not including
4 those people that could not get through?

5 A Right. That -- that -- those figures are only
6 counting customers that actually got to the cue so they
7 could be counted. I think it would be very difficult and
8 I don't even know if the company has any figures on what
9 -- who dropped off, who got a busy and then just dropped
10 off. I don't know if there's a way --

11 Q Do you know if it's possible to -- to determine
12 that?

13 A You know, that's a good question. I think I'd
14 have to talk to someone at the company and maybe even with
15 AT&T on the calls coming in on a trunk.

16 Q Would you -- would you mind following up on
17 that?

18 A Certainly.

19 Q And -- and following up with -- with our Tel-co
20 Staff as well. If Public Counsel has any -- has any
21 information, we'd be glad to hear it. And then let me
22 touch -- and you were going to explain -- explain the
23 distinction. If you want to do that, go ahead, Ms.
24 Bersen.

25 A Between --

1 Q The distinction between the busies and the
2 dropped calls or something, I believe you were --

3 A Yes. There were two things. And as you know,
4 we became aware of that occurring during the course of the
5 storm. This was not something we didn't hear about until
6 afterwards. And we were in communication with the company
7 about that consistently.

8 And, you know, frankly, the first thing was a --
9 very much a technical problem with their announcement
10 board, and it was due to software problem. The -- the
11 announcements weren't being made to the customer. It was
12 dropping into a -- just dropping off. The customer was
13 just all of a sudden being disconnected.

14 And that was fixed within, I think, six hours.
15 They had to get a software patch from the -- the company.
16 The second situation was something sort of unique, and,
17 frankly, we learned a lot about this, too, is when the
18 companies do what they call gapping and was actually --
19 AT&T implemented it in order to keep their network,
20 essentially, from going down with this large number of
21 calls all coming in at the same time.

22 But the problem was that the company, Ameren,
23 was not aware -- was not made aware that such a thing was
24 occurring. So at one point, Ameren call center
25 management, were starting to pull their hair out trying to

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1 figure out why they had people setting there and the
2 number of calls weren't coming through that they were
3 expecting.

4 And what essentially happens with call gapping
5 is they only allow so many calls per so many minutes
6 through those trunk lines. And those are probably -- that
7 was probably the largest number of customers that were
8 getting those busy signals as well as until some cases
9 dropping off was due to that call gapping.

10 Q Ms. Bersen, the call gapping issue, is it
11 attributable to the calls to Ameren's phone numbers or the
12 calls on the system in general? Or do you know?

13 A Both things essentially as the -- as the tel-cos
14 have explained it, the calls coming into the network,
15 they're coming into that -- those particular trunk lines
16 that serve those numbers. And, you know, as it gets to a
17 certain level, the -- the company makes a determination --
18 or AT&T makes the determination. In order to keep the
19 level of our network up, we have got to reduce these
20 numbers.

21 Q I -- I think it would be helpful to hear more
22 about that from my standpoint from a -- on the technical
23 side because it -- I -- I'm a little bit unsure and
24 unclear in reading the report. And it may be entirely my
25 -- my fault in trying to understand it.

0081

1 But I am unclear about whether this is an issue
2 that has other possible resolutions other than saying,
3 This is going to be the way it is the next time, too. And
4 -- and it almost comes across to me that way, that this is
5 an issue that will come up again if we have large volumes
6 into -- to Ameren or whoever else it might be.

7 A Right.

8 Q And -- and that Ameren and AT&T need to work
9 together so that they understand that's an issue. I -- I
10 don't want to accept that at face value because, unless I
11 can be satisfied myself that that's the bottom line here,
12 that's not satisfactory to me. And I say that not just
13 from the standpoint of worrying about incidents that
14 involve electric outages, but all of these -- all of these
15 things that we're seeing here are -- are pieces of what
16 would occur if we had a major disaster going on in any
17 particular region of the state.

18 And -- and it's a test, I think, of how -- of
19 where the flaws are, even though none of us likes the fact
20 that it occurred. None of us likes the fact that people
21 had to deal with it. It's -- we need to analyze whether
22 or not there are ways that the system needs to be
23 improved.

24 If -- if we were faced with this issue with an
25 emergency situation that required a lot of quick action on

0082

1 a lot of different entities and parts, this call gapping
2 issue could be a terrific obstacle. And -- and I think
3 it's important that we get to the bottom of it with --
4 with AT&T and whoever else we need to deal with on it.

5 A I -- I think you -- you pointed out, the biggest
6 concern -- our initial concern was that AT&T had not
7 notified Ameren that they were implementing this. And
8 so --

9 Q And I don't disagree with you. That is a
10 significant concern.

11 A That -- that was, at least for this initial
12 incident. But as you said, the bigger concern is -- and
13 that has, I believe, been resolved. There have been
14 several meetings held. And I think now they've come to
15 some mutual agreements about contacting each other
16 throughout, also talking about the level of call gapping
17 that would be --

18 Q Assuming they can get through?

19 A Well, yes. And hopefully they have some
20 people's direct cell phone numbers to do that. But --

21 Q But the fact of the matter is when we get --
22 when we get past that issue, it opens up another
23 discussion that really needs to occur on communications in
24 these types of situations.

25 A I --

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1 Q So I really would like to see more about that.
2 And to the extent that that can be done, I think it would
3 be helpful and probably not just from the standpoint of
4 the Public Service Commission.

5 A Right. Right. I would like to see it actually
6 become a broader issue where it's talked about with the --
7 you know, with the SEMA situations. Obviously, keeping a
8 telephone network operating is a matter of national
9 security.

10 Q Yes.

11 A And so this was an emergency of some
12 proportions, but not as great as one might have been under
13 other circumstances. So I think the -- the awareness now
14 on the Staff's point of -- of this, it would be
15 incorporated withing discussions future.

16 Q And I -- I did not realize, but AT&T has an
17 attorney here, Leo Bub.

18 QUESTIONS ASKED OF LEO BUB

19 BY COMMISSIONER GAW:

20 Q And it -- Mr. Bub, if you -- if you want to
21 respond, that would be -- that would be fine?

22 A Thank you, your Honor. Commissioner, Leo Bub
23 with AT&T. I'm one of the companies lawyers. And I have
24 to tell you I'm not an engineer, but I think I could help
25 a little bit on this issue with call gapping.

1 As reflected in the Commission Staff's report,
2 call gapping is basically an emergency measure that --
3 that any telephone company would take to preserve its
4 network. And you have to, you know, put this whole
5 incident into perspective.

6 This was a very unique mass calling event.
7 Staff reflected that there were on average like, you know,
8 200,000 calls coming in over a two to four-hour period.
9 That's like the average. You know, at the very peak on
10 the 19th, there were, you know, over 600,000 calls you
11 know, coming into like one particular number.
12 And that would just overwhelm the switch.

13 And to try and put it into laymen's terms, if
14 you can think of your own personal computer, when you are
15 asking your computer to do too many things, you know, run
16 tomorrow programs, what the computer will do is it will
17 just lock up and shut itself down.

18 Our telephone company switches are extremely
19 large computers, but they do have limits. While they
20 can't handle a large volume of calls, there's safeguards
21 and we have people monitoring the switches continually.

22 And during -- on the 19th, we noticed that there
23 were things like slow originating dial tone. Customer
24 would pick up the phone. It would take a while for us to
25 deliver a dial tone. We saw that in the network,

0085

1 technicians did, in the network system.

2 The technicians saw that we were getting No
3 Circuit Available announcements. And those were signals
4 to us that something was happening. And remember these
5 people in the network operation system I think in this
6 case were in Kansas City. You know, they were monitoring
7 the situation.

8 And when it got to peak where we needed to
9 implement some call gapping, we did. And what we did in
10 that situation is on these particular numbers, going into
11 Ameren, I think they had two numbers that were receiving a
12 large volume of calls. We -- on 26 of our 27 switches,
13 put these controls in place that would allow each switch
14 to deliver 150 calls per minute to a particular number.

15 And even with that call gapping in place, we
16 were still delivering, you know, approximate 780 calls per
17 minute. But if you look at the situation where we have
18 you know, over 600,000 calls coming in over a three-hour
19 period, that's like 3800 call attempts per minute.

20 The trouble is people pick up the phone, get a
21 busy signal, try again. They hang up and try again. It's
22 not just one or two. One customer could, you know, do
23 six, eight, ten attempts.

24 Q I'm sorry to interrupt. So the call gapping was
25 attributed to -- just to those calls to Ameren numbers?

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1 A Yes. I think there was also one other number.
2 It was a time and temperature number in St. Louis. So we
3 had these people that are served by the various switches
4 throughout St. Louis.

5 When those particular switches, volumes to those
6 particular numbers to those particular trunks increased to
7 a certain level, that's when we implemented the call
8 gapping controls.

9 We -- it's not like we just put the control on
10 and walk away. Those things are monitored, and the levels
11 of calls are monitored so the amount of call gapping is
12 applied, you know, if it goes up, goes down, depending on
13 the situation.

14 And the call gapping wasn't applied during the
15 whole time. I also want to point out, and this was one of
16 the concerns you had, there was no call gapping applied to
17 any emergency service numbers, in 911. And, in fact, the
18 call gapping control was to keep the network up so that we
19 could continue to provide 911 service.

20 Q So if you get into a situation like this, is
21 there -- is there any consideration -- after you get off
22 the emergency numbers, is there any consideration given to
23 who people are calling and the importance of that number
24 at the -- that -- that particular time?

25 A You have to --

0087

1 Q How is that done within AT&T if there is some
2 sort of assessment of that?

3 A You have to understand that this happens -- this
4 could happen like in 15 minutes.

5 Q Yes.

6 A It's something that really has to happen
7 instantaneously. And the people in our network operations
8 center, what we've done with Ameren in response to the
9 Commission Staff's recommendation in working with Ameren
10 as partners because they're one of our customers and it's
11 a concern that they expressed giving notification, so we
12 are and have worked with them to get notice to them.

13 We've established lines of communications within
14 our company. We've established numbers where we can get
15 on conference bridges that will stay up so that -- so the
16 two companies can work together so we can notify them of
17 the call gapping 15 minutes, I think, after it's applied.

18 And the levels change. You know, service
19 tickets have been opened, Staff has tickets, and through
20 those numbers, they can ask us questions.

21 Q Is there any kind of a signal, a message that
22 comes to the caller saying, This is what's going on?

23 A To the end user customer?

24 Q Yes.

25 A I don't believe so. I think, Commissioner, what

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1 they'll get is either a slow dial tone or No Circuit
2 Available.

3 Q Is there a possibility that they could get a
4 message during --

5 A I'm not sure, but I know the technology is
6 there.

7 Q There are certainly sometimes when you can get
8 messages for other -- other matters, I think. I know you
9 can on -- on cell phones. Is there --

10 A I don't know, your Honor, if the technology is
11 there.

12 Q I know the technology exists for some small
13 rural carriers who are in -- in need of -- of informing
14 someone trying to call a number that's been ported that
15 they do not have the ability to -- to make that call
16 without paying a long distance charge and that that was
17 technically feasible even for rural carriers. Surely that
18 might be possible for AT&T.

19 A Your Honor, something like that, I think we're
20 probably going to have to record that. That type of
21 announcement probably was set up months in advance.

22 Q Probably. So I'm asking you --

23 A And it's not really number specific.

24 Q Mr. Bub, what I'm asking you to do is -- is to
25 check on it.

1 A We can certainly do that, your Honor.

2 Q Because there may be some possibility for some
3 -- for some contingency to -- to be able to be done and
4 maybe -- and perhaps it's too expensive and the costs
5 exceed the benefits of it, but --

6 A My expectation is the technology --

7 Q Well, I'm looking for technical feasibility
8 first.

9 A My assumption is that the technical ability just
10 isn't there. But I -- we will check on that for you.

11 Q Okay. Thank you.

12 A I hope that helped.

13 Q It was helpful for you to come up. Thank you.

14 A Thank you.

15 Q So if you could get follow-up on -- on that,
16 that would be good.

17 COMMISSIONER GAW: On page 56, regarding the
18 online registration issue for those who were trying to
19 contact Ameren over the Internet, Mr. Wood, is that
20 something I should direct to you or to Ms. Bersen?

21 MR. WOOD: Debbie would be the expert.

22 COMMISSIONER GAW: Okay.

23 MS. BERSEN: I can address that.

24 Q (By Commissioner Gaw) First of all, let me ask
25 you whether or not that -- tell me just very briefly how

0090

1 that issue came up.

2 A The -- the company offers a way for customers to
3 monitor their specific outage information. And what you
4 can do is you go onto their web page and you would type in
5 on the outage page. You would go into My Outage, and you
6 can see specific information regarding your outage and
7 expected restoration time.

8 It's a -- it's a very good feature. But what
9 came up, it was a personal situation where I was trying to
10 monitor my mother's outage during this and went onto the
11 web page and realized that she was not preregistered
12 because she's 78 and would not have thought of that.

13 And so as I tried to register her -- she was
14 staying with us here in Jeff City. I realized I didn't
15 have a bill, and you needed to have your account number in
16 order to register the customer.

17 And, you know, I know they're doing that
18 probably for privacy concerns, et cetera, but, of course,
19 she didn't have a bill with her. So I could not register
20 her. And I thought, gee, this is kind of weird, it would
21 have been nice to have that.

22 And then as I would review all the complaints
23 and comments coming through and talking to customers at
24 some of the local public hearings, I heard it come up
25 again. And, frankly, these were primarily senior

0091

1 customers that were -- some were very Internet savvy and
2 stayed in locations where they would have been able to
3 monitor their specific outage.

4 So it seemed to be a very simple recommendation
5 to make to say, just set it up such that you either -- and
6 I was not aware that you could do that even, as I think a
7 lot of customers weren't.

8 So as customers are using web pages more, which
9 they are, obviously, from the use of the web site on
10 outages, this seems to be a fairly simple thing to do.
11 The company can change it such -- or communicate such if
12 it's available, but do it in advance.

13 Get them signed up and maybe don't make them --
14 at least at a time when they have their account number
15 with them, get -- get them signed up. So then if they
16 have an outage occur and they are staying at a location
17 where they have access, at least they can go onto the
18 page.

19 Q Ms. Bersen, isn't it true that -- that at least
20 during some -- some parts of this storm outage in July
21 that even if you had your information on your bill that --
22 that it wasn't allowing you to go ahead and register at
23 that time? Or is that -- is that not accurate?

24 A I'm not sure about the registration part of it.
25 The actual outage -- the outage page where you would get

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1 to the map, where would you click on the map and by zip
2 code be able to access outages and where the restoration
3 effort was, that page actually went down for a while
4 during this last outage.

5 And I -- I think that was unfortunately as the
6 result of in a prior report the Staff had encouraged the
7 company to publicize this -- this tool and, also, let the
8 news media know about it, et cetera.

9 Well, everybody did such a good job of
10 publicizing it, there were -- you could see the number of
11 hits that we show in the report tripled, more than tripled
12 over what they'd been used previously.

13 And it simply took down that server. And the
14 company did respond. And I think got it back up by the
15 next day.

16 QUESTIONS ASKED OF RON ZDELLAR

17 BY COMMISSIONER GAW:

18 Q Is this -- is this an issue that has been fixed
19 for the future, Mr. Zdellar?

20 A Yes, it is.

21 Q What -- what was done to --

22 A Increased the passage of the server. And just
23 beyond the recommendation, Staff recommendation, we are
24 also going to implement the ability of our customers to
25 enter outages over the Net. So it's not just look at

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1 their outages, but if you actually enter the outage over
2 the Net so, you know, if they're off -- their power's off
3 at home and they go to work and they have a computer at
4 work, instead of just calling over the phone, they'll
5 actually be able to enter it over the Internet.

6 Q And will they have to be preregistered?

7 A They'll have to be preregistered.

8 Q And the reason for requiring the
9 preregistration? And, again, Ms. Bersen explained what
10 her interpretation was.

11 A It really is a -- it's really a broader
12 registration. It's surrounds account access and -- and
13 the whole frame work deal with the utility.

14 Q So is there a way - well, first, let me ask you
15 this: Is there a reason why storm outage information to a
16 specific address ought to be kept private? Do you believe
17 that's a privacy issue?

18 A I'm going to have to think about that. I mean,
19 I would have to set something up different to be able to
20 manage that.

21 Q I understand. I'm avoiding the practical
22 question right now just from a policy standpoint. If you
23 don't know the answer, it's okay. It's something that I
24 think ought to be thought about, and maybe it's an answer
25 that is clear that that's private information and you

0094

1 don't want other people to know about it.

2 A I --

3 Q Does - if you could practically get it done, it
4 seems to me it would cause there to be one less hurdle
5 when people are trying to find out information on an
6 emergency basis.

7 A And I would agree with that, and we'll take a
8 look at it.

9 Q Okay. And then from a practical standpoint, if
10 it's something that ought to be looked at, it would be
11 interesting to see how -- how -- if that could be done. I
12 would think technically it could be. It would just be a
13 question of what you had -- what information was available
14 before you went through the screen.

15 And I know that's -- I know that's done. I
16 don't know how difficult it would be for the Ameren
17 system.

18 A I think those are good thoughts, and we'll look
19 at them.

20 QUESTIONS ASKED OF WARREN WOOD

21 BY COMMISSIONER GAW:

22 Q Okay. This is just a clarification on page 63,
23 Mr. Wood. I just want to make sure I understand. You've
24 broken down the complaint and public comments received
25 into two categories, complaints --

0095

1 A Yes.

2 Q -- and then public comments. For purposes of
3 just making sure I understand, public comment could be a
4 -- some -- could be interpreted by many people as being a
5 complaint, could it not?

6 A Yeah. That's -- that's a good clarification
7 because the complaints are typically something requiring
8 some sort of action or response. A public comment is just
9 saying, Hey, I know you're looking at this and, hey, I'm
10 quite unhappy about how it worked out. That could be a
11 public comment.

12 Q These do not include those complaints that were
13 taken during -- or comments taken during the public
14 hearing?

15 A They do not.

16 Q Do they include the -- the dates that you've got
17 listed there, July 19th to the 21st time frame and August
18 1st through the 31st that came into the telephone center?
19 Is that -- would that be true? Or do they include written
20 comments as well?

21 A Could I ask the individual that worked on this
22 portion?

23 Q Sure.

24 MR. WOOD: Lena?

25 MS. MANTLE: This would be include the calls

0096

1 that come into our customer services people. Also,
2 e-mails that are sent to the PSC info line. And then also
3 if individuals get e-mails, you, as Commissioners,
4 sometimes get them and you send them down to us. They are
5 most likely included in this number, too.

6 COMMISSIONER GAW: Okay. And is that
7 information available to the public?

8 MS. MANTLE: You mean are those comments?

9 COMMISSIONER GAW: The comments.

10 MS. MANTLE: I don't believe they are. Do you
11 know, Warren?

12 A In a redacted form. This is one of the things
13 we were asked for by the Post Dispatch.

14 Q (By Commissioner Gaw) Yes.

15 A And we have a redacted version of the public
16 comments.

17 Q The redacted information would be name, address?

18 A Name, address, things like that. You know, you
19 wouldn't be able to use this and then contact the customer
20 that made it.

21 Q Because they may consider their call to be
22 private?

23 A Yes. But you certainly get the flavor of where
24 they're going with the different public comments from
25 what's there.

0097

1 Q Okay.

2 MS. MANTLE: I might also add -- you said
3 something about the difference between a comment and a
4 complaint. We do -- there's at least three of us that
5 reviews every comment that comes in. And some of those,
6 we go ahead and send through as a -- to the utility to get
7 a response to. Some of the comments, we will respond to
8 personally, also.

9 So just because we get it as a comment does not
10 mean that the person does not receive a response from us
11 or the utility.

12 COMMISSIONER GAW: Just to clarify, would you
13 still list it as a comment, or would you list it as a
14 complaint if there was follow-up like you just said?

15 MS. MANTLE: If it is a case of where we follow
16 up with an e-mail and the customer is satisfied, does not
17 keep replying back to us, it stays a comment. But if a
18 customer keeps responding back to us, we -- we will very
19 well move that over to a complaint.

20 COMMISSIONER GAW: Okay.

21 THE COURT REPORTER: Excuse me. I need to
22 change my disk.

23 JUDGE DALE: We'll recess briefly.

24 (Break in proceedings.)

25 JUDGE DALE: Then we'll go back on the record.

0098

1 MS. FRED: Are we back on the record?

2 JUDGE DALE: Yes.

3 COMMISSIONER GAW: Judge, I -- I would like to
4 break from my line of questions for -- for a moment. I
5 want to -- of course, I may have to go back on that
6 because I don't -- we -- there's an individual that's here
7 that -- that we asked to come down to shed some light on
8 his -- on his view of --

9 MR. WOOD: Do you want me to check the lobby?

10 COMMISSIONER GAW: Yeah. If you wouldn't mind,
11 Warren, looking for him if you know him. If I could go to
12 that so -- because he's --

13 JUDGE DALE: Do you want to have him come up to
14 the box or --

15 COMMISSIONER GAW: That may be easier. Whatever
16 you want.

17 JUDGE DALE: Okay. Okay. So we're back on the
18 record, and Commissioner Gaw had discussed how he wanted
19 to ask questions of Mr. Wyrick at this time.

20 If you -- I think it would be easiest if you
21 would come up and sit in the witness chair because there's
22 a microphone there.

23 MR. WYRICK: Oh, okay.

24 JUDGE DALE: Thank you. This is just an
25 on-the-record presentation as opposed to the taking of

0099

1 testimony, so you won't be sworn in.

2 MR. WYRICK: Okay.

3 QUESTIONS ASKED OF RICKY WYRICK

4 BY COMMISSIONER GAW:

5 COMMISSIONER GAW: And if I could proceed,
6 Judge?

7 JUDGE DALE: Yes.

8 Q (By Commissioner Gaw) Would you state your
9 name, please?

10 A Ricky A. Wyrick.

11 Q Mr. Wyrick, where do you -- where do you live?
12 Just -- you don't have to give me your home address, but
13 just generally.

14 A St. Clair, Missouri, 63077.

15 Q Okay. And would you -- would you tell me what
16 you do?

17 A Right now, I'm currently employed as the
18 business rep. for Line Clearance Tree Trimmers in Local 2,
19 which is on Ameren property.

20 Q Okay. And what did you do -- and how long have
21 you -- have you been involved with that work?

22 A Since 1977.

23 Q And during that time frame, since 1977, can you
24 give me just very generally what -- what your roles have
25 been?

0100

1 A Yes. I started out as a brush cutter groundman
2 up to a trimmer through the apprenticeship to a journeyman
3 to a foreman to a job planner to where I'm -- where I'm --
4 where I'm at today.

5 Q Okay. Tell me generally your duties today.

6 A My duties today is -- is to represent the tree
7 trimmers on any contractual grievances we might have with
8 the -- our contractors. We have three tree trimming
9 contractors on board right now with Ameren.

10 Q All right. Now, what are the -- what are the
11 contractors that do tree trimming? What are -- are they
12 affiliated with Ameren, or do they do work for Ameren?
13 Explain that relationship, if you would.

14 A They -- they do strictly work for Ameren in this
15 -- in Ameren's jurisdiction on the Missouri side. I think
16 one of the contractors does a lot of work for Ameren on
17 the Illinois side. They do some work for other utilities
18 in Iowa.

19 Q Okay. Can you give us their names?

20 A The Shade Tree Service Company, Nelson -- Nelson
21 Tree, Incorporated, and Wright Tree Service.

22 Q Okay. And within each of these tree trimming
23 contractors, do they have crews -- a number of crews?

24 A Yes.

25 Q All right. Now -- and these crew members, are

0101

1 they employees of the contractors?

2 A That's true.

3 Q And the contractors are not owned by AmerenUE?

4 A That's correct.

5 Q Or any of the Ameren affiliates?

6 A That's correct.

7 Q All right. Now, during the course of time since
8 you have worked in the tree trimming business, has that
9 mostly been in the St. Louis region?

10 A Yes.

11 Q Okay. Anywhere else?

12 A No.

13 Q All right. Have you had an opportunity over
14 that course of time to observe Ameren's tree trimming
15 policies as -- as given to the -- the tree trimmers that
16 are out doing work?

17 A Yes.

18 Q Okay. Has the relationship always been
19 basically what it is today in regard to contractors as
20 opposed to Ameren employees or UE employees?

21 A Yes. Basically, the same.

22 Q Okay. Have you observed any changes in tree
23 trimming practices during your tenure as a tree trimmer?

24 A Yes. Quite a bit. When I started out in '77,
25 you were more concentrated on two phase, three phase

0102

1 circuits, which your three phase is your main backbone of
2 the -- the system.

3 And depending on the species of trees, how much
4 overhang you took off, that would change every year or so.
5 They'd come up with some other policy what they wanted to
6 do.

7 Q Okay. And in the -- in the early years when you
8 were doing tree trimming, how would you -- how would you
9 rank their -- the -- the method that was used to --

10 A Well, back then --

11 Q -- cut trees?

12 A -- was, basically, you got all your single
13 phases just clear for your incidental contacts as you were
14 talking about. Softwood trees, two and three phases,
15 you'd go up 10, 15 feet. Anything -- any voltage 34,000,
16 which comes out of your subs, you'd lay them back.

17 Q What do you mean -- what do you mean lay them
18 back when you say that?

19 A Forty-five -- probably 45-degree angle. That's
20 what we were told.

21 Q Okay. All right.

22 A Hardwood trees, you wouldn't pull as much
23 overhang or worry about it on two and three phase.
24 Thirty-fours, you would -- you would still get them.

25 Q Okay. Now, did -- did that change going forward

0103

1 in time, the policies, in -- in any significant way?

2 A Well, yeah. As we moved on, in 1992, I was
3 hired -- or I was promoted, I guess, up to what they
4 called a job planner, which we did go out, and we procured
5 written permission from customers ahead of our crews to
6 remove trees that would -- time consuming, especially
7 underneath the lines, any trees on the side that can
8 prevent a -- a problem with the storm coming through.

9 We checked bases of trees for rot, you know, on
10 the back side. You may have a hole in there. We -- we
11 did everything like that to get these trees out of the
12 way.

13 Q So tell me how that process would work when you
14 had that role. What would you do?

15 A I got a map. Every -- that came out of a
16 substation, could have been any feeder map. I was the
17 head of the crews, climbing, bucket trucks, brush hogs,
18 all-terrain equipment, special equipment that we had on --
19 on board and to get everything as much as possible out of
20 the way.

21 Q How would you rate the success of that program
22 or lack of success?

23 A Well, I think it was a good -- great program.
24 It started out as a good program. And I -- I thought I
25 seen, you know, where it was going to go. We did a lot of

0104

1 34 feeds. I did a big 34 feed from St. James to Rolla.

2 It -- it was working good.

3 Q All right. And did you get a lot of trees
4 removed?

5 A Yes, we did.

6 Q All right. How long did that program continue?

7 A Till '95, somewhere in '95. Then they scaled it
8 back.

9 Q Okay. Do you know why? Were you told why?

10 A I was told it was due to -- it was taking too
11 long to get across the maps and it was too expensive.

12 Q I see. Now, did you notice a difference after
13 that program stopped in trees being removed as compared to
14 what -- what occurred before when the program was going?

15 A Well, once it -- you know, it didn't totally
16 stop. I think they -- they were trying to hit the
17 Jefferson, Franklin, St. Louis City metro, St. Charles,
18 your heavy counties.

19 They cut it back. I think it was like one guy
20 running. The removals, of course, went way down,
21 especially trees on the outside of the line where, you
22 know, you may be out of the easement a little. But
23 customers were usually pretty good, so that kind of
24 stopped, you know.

25 Q Okay. So would you say the number of big trees

0105

1 being removed went down after the program --

2 A Oh, yes.

3 Q -- slowed down?

4 A Yes.

5 Q Was one of the advantages of going out ahead of
6 time before the tree trimmers in identifying these trees
7 and being able to -- to visit with the -- the owners of
8 the property and finding a way to contact them in a better
9 way than what you would be able to do if you were just
10 coming through with a tree trimming crew?

11 A Oh, yes. When I was brought on board, they told
12 me to give eight hours a day. They didn't care whether it
13 was from the time the crew started till 4:00 or if I
14 worked in the evening.

15 And the best avenue I came up with was I made my
16 own door hangers, and I worked in the evening because
17 that's when working people come home. And I'd never visit
18 them after 8:00, or I'd try to catch them early in the
19 morning before they left for work.

20 Q And that -- if you go during -- during regular
21 business hours, do you have a problem finding people at
22 home?

23 A Yes. Oh, yes.

24 Q All right. Now -- so there was a program that
25 did do what at least seems to be being discussed currently

0106

1 as a possible recommendation from the Staff on identifying
2 these trees and trying to secure removal and permission
3 for removal?

4 A Yes.

5 Q Okay.

6 A And I might want to add, I just found out a
7 couple days ago that -- and I don't know if it's true or
8 not, but some of my members have told me that there is a
9 company now doing the same thing that we did back in '92
10 in -- in the metro area.

11 But I'm -- I'm not a hundred percent sure about
12 that. But they -- they did say there was another company
13 now addressing this problem in the metro area.

14 Q Okay. Now, subsequent to that program being
15 slowed down and stopped, did you see any other changes in
16 the tree trimming routines from Ameren's policy?

17 A Well, they came up with this policy. And -- and
18 it's been -- it was kind of -- it may be a little hazy.
19 But if you had a tree underneath the power line and you
20 could trim it in one hour but you could remove it in three
21 hours, they would prefer you to trim it.

22 Q Now, why do you say -- tell me how you conclude
23 that. When you say they would prefer you, how did you
24 know that?

25 A Well, just your judgment call, you know,

0107

1 depending on the size of the tree, you know. You've got a
2 sycamore like that suckered out, you know, yeah, you're
3 not going to be able to -- to remove it, you know,
4 depending on the diameter.

5 Q My question really relates to this, Mr. Wyrick,
6 whether -- how you knew that Ameren wanted you to trim it
7 rather than to remove it.

8 A Well, that's what our general foreman came out
9 and told us. This was the new -- the new stat. This is
10 how we're going to operate.

11 Q Okay. Did that have any impact, in your
12 opinion, in regard to the number of trees that were
13 removed?

14 A Well, yeah.

15 Q It seems obvious, but I --

16 A Yeah.

17 Q Okay. Now, from the standpoint of -- of what
18 else -- what -- do you know about when that occurred,
19 approximately, time frame-wise?

20 A Oh, '97, '98. Somewhere.

21 Q That's an estimate, right?

22 A Yeah. That's -- that's a rough guess.

23 Q Okay. Anything after that that changed in
24 regard to Ameren's tree trimming?

25 A Well, they started -- and I really had heard

0108

1 this from my members, and I'm not -- I mean, they tried to
2 explain it, and I've got probably 50 different
3 explanations.

4 The line miles. The general foreman on the --
5 on the -- run the crews themselves go out and estimate how
6 many miles they're going to get for the following year.
7 And it's my understanding they're doing that right now.
8 And they have to get so many miles down the road. And I
9 just don't understand that one, but --

10 Q Let me see if I understand what you're saying.
11 Are you saying that -- that at some point in time that
12 there was a policy implemented to say, You have a certain
13 period of time to get so many miles of line cleared?

14 A Yes.

15 Q And that was the policy that the tree trimmers
16 had to abide by?

17 A They're doing that right now.

18 Q What occurs if they don't make the deadlines?

19 A Well, my understanding from my members is --
20 and, you know, I don't know how much they overreact. You
21 know, they get really excited. If they don't get X amount
22 of line miles, then Ameren will take the crews away from
23 this company and give them to another company.

24 Q So there -- there are three companies you're --
25 you've pointed out, correct?

0109

1 A Yes. Yes.

2 Q How do you believe that that impacts the tree
3 trimming?

4 A Well, I -- I don't think it -- it doesn't impact
5 the tree trimming for what they do. It's just another
6 company is going to pick up the work load.

7 Q Let me -- let me -- let me re-ask the question.

8 A Yeah.

9 Q Does the impact -- does the -- the line mile
10 requirement, in your opinion, impact the extent to which
11 trees are trimmed --

12 A Oh, yes.

13 Q -- the quality of the trimming?

14 A Yes, yes, yes.

15 Q Please explain that.

16 A Well, you know, you have to have so many line
17 miles. And I've talked to some of my members. And I say,
18 Well, what happens when - you know, because you know
19 pretty well month by month how many miles you've went.
20 You know, the -- the area supervisors, I'm sure, keep
21 track, you know, Well, we have got 140 line miles to get
22 this year and in this county or that county.

23 And they come down to, well, you know, we're --
24 we're running pretty close here. We're not going to make
25 these line miles. I think they start going back to their

0110

1 old ways of trimming, which is get her in the clear of
2 the incidentals and let's get down the road.

3 Q And because that's the minimum that they have to
4 do?

5 A Yes.

6 Q And then they can make up their --

7 A Yeah.

8 Q -- time and move -- move faster?

9 A Uh-huh.

10 Q Was there any other change that you observed --
11 have observed coming -- coming up to today's date in
12 regard to tree trimming policies?

13 A None that I can think of right now.

14 Q Now, Mr. Wyrick, in November of this year, there
15 was a report issued by the Staff of the Commission I don't
16 know if you've had a chance to see it, on -- about the
17 July 19th and 21st '06 storms. Do you know about that
18 report in general?

19 A I know about it in general.

20 Q But you've never read it, right?

21 A No.

22 Q It was issued on -- on November the 17th. Can
23 you tell me -- I'm just curious about whether or not
24 you're aware of -- of Ameren's tree trimming efforts since
25 the July storms in regard to -- to how much -- how many

0111

1 crews were out and if you can give me some sort of an idea
2 of what that was.

3 A Well, I think Ameren did a great job getting a
4 lot of tree trimming crews in here. Of course, they were
5 needed sorely. They did a good job of contracting other
6 Locals through the IBEW. And the -- two of the
7 contractors -- three of the contractors -- well, all three
8 of them actually do have crews in other IBEW
9 jurisdictions, and they relied and called them out of the
10 other jurisdictions to -- to this area.

11 And they responded well. They kept the crews
12 on, even after the storm was going down. You know,
13 winding down, the restoration was up, they still kept the
14 crews on till, I don't know, a couple three -- I guess a
15 couple months. And then they started releasing them back
16 to Kansas City back to 702.

17 Q Okay. And that -- about when was that? Do you
18 know?

19 A I'm going to say sometime -- sometime in
20 September.

21 Q Okay. And then they would have gone back to --
22 to a more regular tree trimming routine; is that correct?

23 A Yes, yes. They would have our men toward the
24 end. From what I can gather from my memory, they had our
25 men -- or our members doing maintenance, going back to --

0112

1 to maintenance.

2 And some of these crews they held over from
3 Kansas City, Illinois, 702, and they would do storm
4 tickets because they were still doing storm tickets
5 because, you know, you'll run storm tickets for two or
6 three months.

7 Q So clean -- clean-up work from the storm?

8 A Yeah. Yeah.

9 Q All right. After -- after this September date,
10 do you -- do you know about how many crews that you would
11 have within the three contractors that --

12 A With the three contractors? As far as crews,
13 because they -- there's so many different -- there's
14 two-man crews. There's three-man crews. There's even
15 four-man crews. But I think the total was like 470
16 members. But I -- I wouldn't know how many crews that
17 would equal out to.

18 Q Was there any change that was obvious to you in
19 the number of crews after September? For instance, in
20 November, was there any change in the number of crews that
21 were working?

22 A Oh, yes. On November -- November the 13th,
23 which was a Monday -- so I would have got all the calls
24 Friday. My phone rang off the wall that they were
25 shutting the tree trimming system down for the day.

0113

1 Q Do you know why that was?

2 A The best I could find out was money. They --
3 they had been hit so hard with the July storm and then
4 there was that storm back in April. It was a budget deal.
5 That's what -- because I asked my members, I said, What
6 are you hearing out there? I mean, somebody's got to be
7 telling you somebody. They said it was just monetary.

8 Q And this was a one-day shutdown?

9 A One-day shutdown.

10 Q Okay. Then what happened after that day?

11 A Then Friday, the 17th -- well, I got the call
12 probably Thursday from the contractors saying they were
13 laying -- one was laying off nine crews, and one was
14 laying off six crews and one was laying off three crews.

15 Q And so nine, three and six?

16 A Uh-huh.

17 Q Eighteen crews?

18 A Uh-huh.

19 Q Okay. And was there an explanation about those
20 layoffs?

21 A They just speculated it was all due to money.

22 Q Now, would that have been done at the
23 contractors' -- based on the contractor's decision or on
24 Ameren's?

25 A That would be Ameren's decision.

0114

1 Q Okay. And this was on November the 17th?

2 A Yes. That was on a Friday, I'm pretty sure.

3 Q Are you -- have you checked that date? Do you
4 know when that date --

5 A The 13th was a Monday, so the following Friday.
6 So 14, 15 -- yeah.

7 COMMISSIONER GAW: Just -- just to make sure
8 that this date is correct, Mr. Wood, the date of this
9 report is what?

10 MR. WOOD: November 17th.

11 Q (By Commissioner Gaw) Mr. Wyrick, in your
12 opinion, does -- does tree trimming help to prevent
13 outages as a general rule?

14 A Yes.

15 Q Tell -- and generally, I think we all probably
16 know the answer to this question, but I'd like to hear it
17 from you. Tell me how it does that.

18 A Well, it -- it depends on your -- there's so
19 many variables in here. It depends on your circuit, if
20 it's single, double, three phase, species of trees, how
21 quick they grow. You may not have a good growing season
22 in the spring. They may not sucker as hard.

23 Then again, if you've got a good growing season,
24 them softwood trees, they can grow 3 to 4 feet suckers and
25 just like that, boom, they're right back in the power

0115

1 line.

2 And if you stayed with the program back in '92,
3 would it have made a difference? Some. Would it have
4 prevented everything? No. It never could. But you've
5 got to start somewhere. You've got to kind of stick with
6 it. And -- and I've got to admit, customers sometimes can
7 be a pain.

8 Q Because they don't all want the trees trimmed,
9 did they?

10 A They don't want you to trim their trees. It
11 makes them look ugly. Yeah. I know it does. But on one
12 side, it -- like Mr. Zdellar said, you one-side them, they
13 look like -- pretty ugly. I'll put it that way.

14 Q Yes. So there's an issue to deal with there?

15 A Yes. I think it's -- think it's a three way,
16 33, 33 33. A third of it, Ameren really needs to get a
17 little bit more aggressive. And I think the Public
18 Service Commission should be into it. And the third of it
19 is just the customer. Well, I give them a little bit more
20 because I've really had some irate customers after it. So
21 -- I mean, you know --

22 Q Now, do you have a restriction on how far you
23 can trim back on the trees that you're aware of?

24 A Well, we try to do -- when -- when you do some
25 trims -- and, again, you don't take a pin oak tree that's

0116

1 75, 80 years old and you don't go all the way back to the
2 trunk of the tree and start whacking on it or cut it back
3 -- clear cut it back there. You know, you've just got to
4 look at the line, look at the tree. And I don't know what
5 easement -- you know, when I was working on a tree, I had
6 not a clue this is three phase line. I don't know what --
7 how wide the easement is. We just addressed the trees as
8 we seen them.

9 Q Okay. You weren't given specific directions on
10 how far back you could trim?

11 A No.

12 Q Have you ever been?

13 A No.

14 Q As a matter of -- of course, your tree trimmers
15 today in residential areas with single lines. Are they
16 trimming -- are they trimming the limbs back behind the
17 line generally, or were they given direction how far back
18 to trim them?

19 A Well, I talked to one of my contractors. They
20 just did a three phase backbone circuit. They laid it --
21 they were told to lay her open wide.

22 Q Already. Now, when I get down to my single
23 phase wires down -- down in the residential areas, tell me
24 about that, please.

25 A No. You'll just get 3, 4-feet clearance.

0117

1 That's what we used to get all the time.

2 Q Okay. But you trim them back off of the top of
3 the lines?

4 A Yes.

5 Q Three or four feet?

6 A Yeah.

7 Q Okay. So you wouldn't -- you wouldn't be just
8 trimming a few inches off if you were doing it the way you
9 would normally do it --

10 A Yes.

11 Q -- in your process?

12 A Right.

13 Q And how often do you think those trees in -- in
14 the urban areas ought to be trimmed back when you -- when
15 you trim it back 3 or 4 feet? How -- how frequent should
16 the cycle be, if you -- if you have an opinion?

17 A Well, it used to be, when I first started, two
18 to four years. That's a pretty broad spectrum when you're
19 talking about, so --

20 Q Yes.

21 A So I'd say at least -- at least two to three
22 years really in the metro area.

23 Q Yes. And so -- and if it were done that -- that
24 frequently, do you think that most of the time the trees
25 would stay off of the lines, or some of --

0118

1 A Well, at least some of the time.

2 Q Okay. More than what would happen in a
3 four-year cycle?

4 A Yes.

5 Q And, in fact, it depends on how far back you
6 trim them?

7 A True.

8 Q Do you know -- in your -- do you have
9 discussions with tree trimmers in other states very often
10 or --

11 A Every now and then. Some -- maybe some seminar,
12 construction conference, yeah.

13 Q Do you -- have you ever talked to anybody that's
14 had a specific -- and just had a discussion with somebody
15 that's had a specific requirement on how far back the
16 trees are trimmed?

17 A No.

18 Q Would it be -- would it be difficult for the
19 tree trimming crews if they had general clearance
20 instructions?

21 A Say that again.

22 Q In other words, if -- if the tree trimming crews
23 were told, We want these back off 2 or 3 feet?

24 A Uh-huh.

25 Q -- some amount, could they do that?

0119

1 A Oh, sure. And I'm sure that -- on these -- and
2 I'll go back to the line miles real quick. You know,
3 they're going to get 2 to 3 feet, you know, on most
4 everything --

5 Q Yes.

6 A On the single phases, you know --

7 Q Yes.

8 A -- is what I'm in reference to. They're going
9 to get that all the time.

10 Q Okay. But there's more you think that they
11 could be doing, if I'm following you, in regard to
12 trimming back?

13 A Well, you could, yes. I mean, there's more you
14 could do. But then again, it seems to be an issue with
15 these easements. And the trimmers, they don't have --
16 excuse me. They don't have a clue when they walk into
17 this subdivision --

18 Q Where the easement line it?

19 A -- where the easement is or how wide it is. You
20 generally like to talk to the customer first because you
21 -- you'll find out just about how much you're going to
22 take out of that tree.

23 Q Yeah. But you can't do that very easily if
24 they're not home?

25 A If they're not home, you just go in and get the

0120

1 best clearance you can. You don't take a Bradford pear
2 tree -- normally, they don't get that big, but I've seen
3 them into the power lines or a pin oak that's real nice or
4 hard maple, you just don't go in there and -- because
5 that's when you get in trouble.

6 Q But if you were able to talk to somebody --

7 A It would be nice.

8 Q -- in your experience, you've -- you've been
9 able to have success in --

10 A Yes.

11 Q -- in getting trees removed or trimmed back
12 further --

13 A Yes.

14 Q -- correct?

15

16 A Uh-huh. They like to -- they like for you to
17 show them what you're -- what you're going to do. You
18 know, we're going to take this limb out and we're going to
19 take it all the way back to the tree.

20 Q That's good public relations, isn't it?

21 A PR.

22 COMMISSIONER GAW: I'm going to pass for a
23 moment.

24 QUESTIONS ASKED OF RICKY WYRICK

25 BY COMMISSIONER CLAYTON:

0121

1 Q Good morning, Mr. Wyrick. I just have a handful
2 of questions. I wanted to be clear on a few things.
3 First of all, you've been cutting trees since 1977 is what
4 you said?

5 A Yes.

6 Q And -- and, basically, this is the -- the work
7 you've been doing since that time?

8 A Yes.

9 Q Have you worked in any other cities other than
10 the St. Louis metropolitan area?

11 A Franklin County, Jefferson County.

12 Q But all associated with Ameren work?

13 A Ameren. Right.

14 Q Okay. You -- you mentioned that in 1992, your
15 position changed to more of a job planner where you went
16 out and worked with customers; is that correct?

17 A Correct.

18 Q And then in 1995 was the time period when you
19 said they -- the company, I suppose, either proposed or
20 did scale back the tree trimming program?

21 A Yes.

22 Q Okay. And I think you also suggested 1997 or
23 '98, the -- the focus on tree trimming went to line miles
24 as opposed to the way it had been done before?

25 A Yes.

0122

1 Q The way it was done before, what was the focus,
2 if not on line miles?

3 A You know, before then -- and I guess it was an
4 unwritten rule, manual crews were -- you had three-man
5 manual crews, 24 hours. They kind of expected two trees
6 per man hour. Bucket trucks, you -- three-man crew with a
7 follow-up, they expected a little more. Really, it was
8 nothing never in writing. It was just what we lived by.

9 Q How did -- how did you measure progress, measure
10 success? Was there any way to measure that?

11 A No. Not really.

12 Q No?

13 A Just make sure you get X amount of trees.

14 Q So it was by number of trees?

15 A Yes.

16 Q We want you to cut so many trees and --

17 A Yes.

18 Q Okay. Now, has the policy changed at all
19 between 1997 and eight to the present day?

20 A No. There -- they're on these line miles.

21 Q Okay. So -- so, basically, you're still working
22 under the same --

23 A Basically.

24 Q -- program that was in place in 1997 or 1998?

25 A Yes.

0123

1 Q Okay. Are there more crews, less crews, same
2 amount of crews that are on the job now compared to '97
3 and '98?

4 A There's more crews on.

5 Q Today, there is?

6 A Today, there is.

7 Q Today, there is. Okay. Were there any changes
8 -- say, moving forward from 1998, were there -- that were
9 noticeable in your mind?

10 A Not noticeable, no.

11 Q Okay. Were there any changes in tree trimming
12 following the storm report of 2004 or the storm that
13 occurred in July 2004?

14 A No. The -- no, not that I'm aware of.

15 Q So basically just business as usual --

16 A Usual.

17 Q -- compared -- okay. How about changes that
18 occurred following the storm of August 13, 2005? Do you
19 recall any changes to tree trimming at that time?

20 A No. Not really. It was -- no. I really don't.

21 Q Do you recall any changes to the tree trimming
22 program following the storm of April 2006?

23 A They -- they did want to get a little bit more
24 aggressive on tree trimming. And they said at that time
25 they were going to add some crews.

0124

1 Q Okay. And did they add some crews?

2 A They did add some crews.

3 Q Okay.

4 A And I don't know how many for sure.

5 Q Do you know -- did they continue working for
6 just a month, many months? Are they still working today
7 after April?

8 A The ones they put on in April, most of them are
9 still working.

10 Q Even today?

11 A I think so. I'm pretty sure. But I won't say
12 for sure.

13 Q Okay.

14 A I can't say a hundred percent.

15 Q Now, the storm that occurred in July of -- July
16 of 2006, basically, you -- you said that they brought in
17 crews from all over the state at that time to start
18 trimming some trees?

19 A Yes. Out of state, in state.

20 Q And what was your role following the -- the July
21 2006 storm? What -- what type of work were you personally
22 doing?

23 A I was still a business representative for the --
24 for the local. We went out checked on the guys, made sure
25 they had water, you know, just make sure everybody was

0125

1 working safe because they were putting in a lot of hours.

2 Q So -- so you weren't doing the spotting or the
3 job planner --

4 A No, I wasn't.

5 Q -- type of work?

6 A No, no.

7 Q Purely from the business side?

8 A Yes.

9 Q Okay. Okay. Were you getting reports back on
10 the nature of the damage caused in the storm of July 2006?

11 A Yeah. They just -- they said that they'd never
12 seen nothing like it.

13 Q How was -- how was the job measured? How was --
14 how was success measured or how -- how were you paid? Was
15 it by the tree? Was it the by the job, by the ticket?

16 A No, we're all hourly.

17 Q Hourly. Okay.

18 A Hourly wage.

19 Q Okay. Did you have goals that you'd have to do
20 a certain amount of work --

21 A No.

22 Q -- during that time?

23 A No. Not during the start.

24 Q Okay. So it's a little different?

25 A It's a little different. Do it safe.

0126

1 Q Okay. Now, we were provided some photographs
2 that showed some whole trees that had fallen over. Did
3 you ever see any pictures of where whole trees had fallen
4 over?

5 A I've seen whole trees.

6 Q You have?

7 A Yeah.

8 Q Okay. Now, trees like that, you're not
9 suggesting tree trimming would -- would have an impact on
10 those?

11 A It would not have an impact on those.

12 Q Do you have any way of assessing or your crews
13 have any way of assessing what percentage of the -- of the
14 lines down were caused by whole trees versus trees that
15 could have been trimmed?

16 A We would not have -- I wouldn't have a clue on
17 that. I don't even know how -- you know, I'd have to talk
18 to all of my crew members and --

19 Q I understand. I understand. Is -- did you get
20 any reports back on damage that was caused by trees that
21 -- that would have been candidates for trimming but just
22 hadn't gotten to on the list yet?

23 A Oh, yeah. Yeah. There was -- there was -- they
24 -- they trimmed these feeders out. They may have trimmed
25 two or three feeds out. There's so many subs out there.

0127

1 Yeah. There's some -- some that were probably -- they
2 were probably getting ready to be trimmed when the storm
3 hit. You know, that's -- it's just the nature of the
4 beast.

5 Q Does -- do your crews get assignments based on
6 customer complaints or customer inquiries? For example,
7 if a -- if a customer calls up and says, I think a tree
8 needs to be trimmed, do you all get a ticket -- and I'm
9 kind of talking non-storm-related right now.

10 A Yeah. Right.

11 Q Do you all go out and do that or do they send
12 you out on a right of way and say, Go handle Manchester
13 Road and kind of --

14 A Right. Not as far as go into the Forestry, they
15 in turn it over to one of their foresters. He goes out
16 and checks it. Yeah. We'll come and do this tree.
17 They'll send one of our crews over to do that tree.

18 Q And forestry, that would be a division of
19 Ameren?

20 A Yes.

21 Q And those would be the Ameren employees?

22 A Right.

23 Q Okay. How closely do you work with employees of
24 Ameren with regard to the tree trimming? Do they have
25 tree trimmers that are employees of the company?

0128

1 A No.

2 Q So they have -- but they have a forestry
3 division. How many people work there?

4 A They've got like a forester for each county or
5 district. You may have a dozen or so. But they'll handle
6 X amount of crews in Franklin County. They'll handle the
7 issuing of the plans to the general foremen. They'll run
8 the tickets, the complaints which you was just in
9 reference to, to see if it's warranted for one of our
10 crews to come out and help the customer.

11 Q Okay. Does -- does the relationship work
12 between the contract trimmers and the -- and the Ameren
13 employees?

14 A Yeah. Pretty good.

15 Q Okay. There was a statement made in the report
16 that Ameren has asserted that 85 percent of the tree
17 damage was caused by trees located off the easement. Do
18 you have any way to evaluate that percentage?

19 A No, I don't have a way. From what I've seen,
20 again, how wide are them easements? I -- you know, I've
21 seen a lot of trees that were 4 feet away from the line on
22 this one circuit. I didn't get to see a lot. But I don't
23 know how wide the easement is.

24 Q So you went out and identified problems
25 regardless of the -- the actual easement line?

0129

1 A Yeah.

2 Q Okay. In the -- the storm report of -- of 2004,
3 I believe, was the first time that the Commission received
4 an official report from its Staff relating to Ameren's
5 storm outage difficulties in the St. Louis area.

6 And there were a -- an agreement or -- or
7 assertions made by Staff about eliminating a back log of
8 -- of trees or tree trimming. Are you familiar with --
9 with that back log?

10 A No, I'm not.

11 Q You have no idea what --

12 A No, I'm not.

13 Q -- what we'd be talking about? Okay.

14 A Huh-uh.

15 Q Mr. Wyrick, is there anything that -- anything
16 else that this Commission can do to either reduce the
17 severity or the number of outages, in your opinion, with
18 regard to the work that you do associated with any
19 utility?

20 A Well, I -- I think that the Commission and UE
21 ought to get together -- these 85 percent trees that were
22 out of the easement, there needs to be a happy medium
23 there.

24 They -- I know they want their, as Mr. Zdellar
25 puts it, bang for their buck. They need to slow down on

0130

1 these line miles, in my opinion, and do a little bit of
2 quality and get these things out of the way.

3 And that just doesn't happen overnight. I'm
4 sorry to say, but you cannot go out and count so many
5 trees and a year later expect to get that amount when
6 you've had growth. Maybe you've had construction
7 underneath them. I -- I don't know. I just don't see it
8 working.

9 But I think with the determination of putting
10 some -- putting your foot down with some of these
11 customers that are -- you know who they are. I mean, I've
12 been over maps. I can tell you each individual house I
13 was going to have trouble with the next cycle I went
14 through, you know.

15 And I just think everybody working together --
16 it's not going to happen overnight. That's for sure.

17 Q Have you noticed any changes in attitude since
18 the storm -- since these storms of the last three years
19 from people that you visit or that have problems or
20 questions about the trimming that you're doing?

21 A No, no. See, I don't -- I don't get to see many
22 of them.

23 Q Oh, you're not doing that anymore?

24 A No, no.

25 Q So you're not seeing them?

0131

1 A No. But I've heard things from my customers, my
2 members that their customers are now just tickled to death
3 to see them. They've had three storms in a row. So,
4 yeah, you can probably go in there right now and take out
5 any tree you want. If you don't have any storms down the
6 road, no, you ain't touching my tree.

7 Q I understand.

8 A Feast or famine.

9 Q Have you ever been part of a lawsuit or anything
10 like that associated with a tree that you cut?

11 A I've never been involved with a lawsuit. I've
12 been run off the property with a shotgun and had to call
13 the sheriff.

14 Q But no lawsuits?

15 A No, I haven't.

16 Q Tough day -- tough day at the office?

17 A Yes, I did. I forgot that \$300,000 oak tree
18 down on Valley Park. Yeah. They said we trimmed it too
19 hard. They were doing a big subdivision. They had a fuel
20 tanker parked by the tree and the diesel fuel had leaked
21 into the root system.

22 But that was proven not to be our fault, you
23 know. It was 100-year-old oak tree. So we got accused of
24 killing it. But that -- that's the only lawsuit that I
25 was ever involved in.

0132

1 COMMISSIONER CLAYTON: I don't have any other
2 questions Mr. Wyrick. Thank you for coming down.

3 MR. WYRICK: Thank you.

4 COMMISSIONER CLAYTON: Appreciate it.

5 COMMISSIONER GAW: I've got a few more, but
6 somebody else might want to ask --

7 COMMISSIONER APPLING: Steve, go ahead. I'm
8 saving him for last. Okay?

9 MR. WYRICK: Am I done?

10 COMMISSIONER GAW: Just a few more, Mr. Wyrick,
11 unless you need a break.

12 MR. WYRICK: No.

13 QUESTIONS ASKED OF RON WYRICK

14 BY COMMISSIONER GAW:

15 Q I'm just -- I wanted to know if you could tell
16 me about the size of -- the number of people that have
17 been working on tree trimming in the last ten years or so,
18 whether that's -- whether that has been moving in one
19 direction or the other or --

20 A It fluctuates.

21 Q From --

22 A In the last ten years.

23 Q Yeah. Did you see any -- I think Commissioner
24 Clayton asked you about when -- when Staff came out with
25 the requirement that Ameren catch up on its back log of

0133

1 tree trimming. Did -- and -- was it your testimony that
2 you don't recall any change in the number of tree trimming
3 crews that were out there subsequent to that? Or do you
4 know?

5 A Over the last ten years?

6 Q Well, that would have been in '04.

7 A '04. Not -- not really. I -- you know, I'm --
8 I'm not sure on that at all.

9 Q You just don't know for sure?

10 A No. I'd have to dig up all my records back at
11 the office.

12 Q But you'd have records if we were wanting to
13 look at it --

14 A Right.

15 Q -- right?

16 A Yes. I can get that information for you. But
17 it's -- it will take a --

18 Q It will take a little while?

19 A Yes.

20 Q Well, I -- we can get back with you if we need
21 it --

22 A Yes.

23 Q -- on that. And I believe that you've made this
24 clear, but I want to make sure. You believe that tree --
25 trimming trees does have a positive impact in regard to

0134

1 preventing outages?

2 A Yes.

3 Q And including during storms?

4 A Yes.

5 COMMISSIONER GAW: Mr. Wyrick, thank you very
6 much for coming down here today and taking the time to
7 help us get some more information from your perspective.

8 MR. WYRICK: Okay.

9 COMMISSIONER GAW: That's all I have. Some
10 other Commissioners have some other questions, I think.

11 MR. WYRICK: Okay.

12 QUESTIONS ASKED OF RICKY WYRICK

13 BY COMMISSIONER APPLING:

14 Q How are you doing, Mr. Wyrick?

15 A Just fine.

16 Q How long did you serve in the -- the Marine
17 Corp.?

18 A Three years.

19 Q Three years. We got results in the Marine Corp.
20 because we established some standards and we followed
21 them, correct?

22 A Correct.

23 Q Okay.

24 A Semper Fi.

25 Q Semper Fi, where the rubber meets the road. Of

0135

1 course, the tree trimming was not the cure for all the
2 things that's happened to Ameren here. There's a lot of
3 other things that's caused this outage, right?

4 A True.

5 Q Okay. But the -- the point is, I think we need
6 to establish some standards and stick with them. Thank
7 you for serving this company in the Marine Corp., okay?

8 A Yes, sir.

9 COMMISSIONER APPLING: That's all the questions
10 I have.

11 MR. WYRICK: Yes, sir.

12 JUDGE DALE: Thank you, Mr. Wyrick.

13 MR. WYRICK: Thank you.

14 JUDGE DALE: This seems like a good time to
15 break for lunch.

16 MR. MILLS: Guys, before we break, can I ask a
17 procedural question?

18 JUDGE DALE: Sure.

19 MR. MILLS: Will I be allowed to ask questions?

20 JUDGE DALE: I believe you will. So,
21 Mr. Wyrick, we'll need for you to come back after lunch.

22 MR. MILLS: Or I've just got a couple of minutes
23 if he's got to go.

24 JUDGE DALE: Would you -- okay.

25 COMMISSIONER CLAYTON: It's not a hearing.

1 JUDGE DALE: It's not a hearing, but they can
2 ask questions.

3 QUESTIONS ASKED OF RICKY WYRICK

4 BY MR. MILLS:

5 Q Thank you. Just briefly, you said that -- that
6 right now you think there are more tree trimming crews
7 than there were in '97 and '98; is that correct?

8 A Yes.

9 Q Are there also more miles of line on the Ameren
10 system?

11 A Yes.

12 Q Has the number of crews increased about the same
13 as the number of miles of lines, or is it falling behind
14 or getting ahead or --

15 A I wouldn't have no idea on that.

16 Q Okay.

17 A I wouldn't know how you would compare how many
18 -- X amount of line miles, does it take X amount of crews
19 to cover that. I wouldn't know.

20 Q Okay. Over the last two or three years, has --
21 has the number of crews -- you said it fluctuates?

22 A Yes.

23 Q Has it overall gone up or down?

24 A Sometimes it goes up. Sometimes it goes back.

25 Then it will go up. Yeah. I mean, you know, again, I can

0137

1 pull all them records up and --

2 Q Is that -- is that a change from year to year,
3 or is that a seasonal variation?

4 A No. Just year to year.

5 Q Okay. From a -- from a business standpoint, do
6 you -- do you see the reason behind that fluctuation?

7 A From a business standpoint, no, I don't.

8 Q Now, you said that you saw a number of trees
9 that had -- that were only about 4 feet from the line that
10 caused damage?

11 A Yes.

12 Q Was that -- were there a large number of trees
13 that close to the line that had caused a lot of damage?

14 A In certain areas. I -- like, again, I've seen a
15 little out in north St. Louis, a little out in Franklin
16 County. I didn't see a -- a major part of the storm area.

17 Q But in the parts that you did see, was there a
18 big problem?

19 A Yes.

20 Q Trees that close to the line was a big problem?

21 A They were -- you know, if you've got a tree 4
22 feet away, you've got to shoot 40 feet above it. And the
23 wind comes, you know, and that's going to break over. I
24 didn't see whole trees uprooted, but --

25 Q Okay.

0138

1 A -- I know there was some.

2 Q If -- if Ameren wanted to -- to significantly
3 ramp up both the -- the line miles it covers and the
4 quality of trimming that it does, would -- would there be
5 people out there available to -- to man more crews to
6 significantly increase that?

7 A You -- you could do it. It would take a -- it
8 would take a couple of years to -- to accomplish that, I
9 would think. You have a lot of tree trimmers in private
10 industry that you could rely on, bring them in, teach them
11 the line clearance.

12 Just trimming a yard tree doesn't cut trimming
13 next to a high voltage lines.

14 Q But -- but over a reasonable period of time, a
15 year or two, you think they could ramp up the number of
16 crews significantly?

17 A I don't know about significant, but I think they
18 could make a pretty good dent in it because you'd have
19 training crews that would -- would be the best option to
20 put two apprentices on there. And you've got to teach
21 them.

22 Q Uh-huh.

23 A There's so many aspects that you don't just go
24 here and say, Okay, now you can trim around high voltage
25 lines. Just doesn't work.

0139

1 MR. MILLS: Okay. Those are all the questions I
2 have.

3 JUDGE DALE: Well, before we recess, are there
4 any others?

5 MR. BYRNE: Not -- not from Ameren.

6 JUDGE DALE: Thank you. In that case, you may
7 step down, and you are dismissed.

8 And now we really will break for lunch until
9 1:30. Is that enough time? Okay. Thank you. We're off
10 the record.

11 (Lunch recess.)

12 JUDGE DALE: All right. We'll go back on the
13 record. We were in the middle of Commissioner Gaw's
14 questions.

15 QUESTIONS ASKED OF WARREN WOOD

16 BY COMMISSIONER GAW:

17 Q Okay. I'd like to go back to the -- to the
18 general issues raised in the report, and in particular,
19 back to tree trimming for a little bit. Do we have an --
20 an amount excluding storm preparations or -- of tree
21 trimming expenditures for Ameren -- or AmerenUE, I should
22 say, going back for, like, the last 20 years?

23 A I'm not aware of the last 20 years. I
24 certainly --

25 Q How far back?

0140

1 A Back to 1996, I know.

2 Q So '96?

3 A Yes. And that's just -- that's in our current
4 reports right now. But I don't -- I could check with
5 Auditing certainly to check back further.

6 Q To see if you can go back further?

7 A Yeah.

8 Q Is that in the report on a -- in an appendix or
9 -- back to '96?

10 A In pieces, as you go through different reports,
11 the 2004 report includes back -- let me grab it.

12 Q Okay. I just wonder if it's put together in --
13 in one place.

14 A The 2004 report has 1997 through 2004 budgeted
15 amounts. And the current report --

16 Q I'm interested in actual expenditures as well.

17 A I understand. And then the 2000, this most
18 recent report includes 2001 through 2005. So there is
19 some overlap in those numbers to get us back to '97
20 direction.

21 Q Are those budgeted as well?

22 A I have budget and actuals.

23 Q On all of those years?

24 A Absolutely 2001 through 2005. I'd need to go
25 back and check on '97 in the -- in the numbers in the 2004

0141

1 report.

2 Q Now, if I look at each of those expenditures
3 from year to year, how much apples to apples comparison
4 can I get in just looking at the numbers? Does the
5 territory change significantly as far as the number of --
6 or the amount of Ameren territory available for trimming?

7 A There is not a breakdown on the -- the amount of
8 territory associated with those numbers in those years.

9 Q Is that -- actually, I'm -- okay. That's a
10 different answer, but that's a good point. So I can't --
11 I can't look to see where the tree trimming was actually
12 done, what I think I heard you just say?

13 A Not in the numbers we have currently. If you're
14 looking for district numbers, you know, across their
15 system or --

16 Q I hadn't got to that, but go ahead. If I'm
17 looking for that, what?

18 A I don't have those numbers.

19 Q Okay. Is that something we could see if -- is
20 that something we could get?

21 A It's something I can certainly talk with
22 Auditing and follow up with AmerenUE to see if we could
23 get that.

24 Q Okay. And in regard to the -- the general
25 territory that AmerenUE would have been showing as

0142

1 budgeted and actually spent, is that basically the same
2 for those years from one year to another, the footprint
3 that AmerenUE is saying, We're expending this amount in
4 our territory, did that change during the years that you
5 have numbers?

6 A Unless I'm missing something, I'm unaware of any
7 -- any big change.

8 Q I don't know either.

9 A Yeah.

10 Q Someone said something earlier about some
11 changes in amount of Ameren territory, and I was -- I'm
12 raising it just to make sure that there wasn't. I don't
13 -- I don't know the answer.

14 A Do you --

15 MR. BYRNE: There really wasn't a major change
16 in our territory over that period of time.

17 Q (By Commissioner Gaw) I thought so.

18 A I couldn't recall one.

19 Q Okay. All right. What --

20 A And I should note that in terms of in recent
21 years --

22 Q Yes.

23 A -- a lot of the subdivision construction -- some
24 of the growth has happened in the last couple -- the vast
25 majority of that is underground.

0143

1 Q I want to get to that in a minute because I
2 think that's something that --

3 A Yeah. It's something that --

4 Q -- I'd like to have more detail on. But -- so
5 as far as the tree trimming miles that are there, there is
6 no number that you have specifically on -- in '0 -- '05 or
7 '04 or whatever the year, Ameren had potentially this
8 amount of line miles that could be trimmed, not that it
9 could be trimmed all in that year --

10 A Right.

11 Q -- just that that was available for maintenance
12 vegetation management?

13 A You make a good point because I was talking
14 about areas and you're talking about miles.

15 Q And we both know there's a difference.

16 A Yeah. And --

17 Q Both of those -- both of those things are, to
18 me, relevant, but they're different.

19 A But one of them, your reference to miles is
20 probably a better way to try to track the total effort
21 required.

22 Q I -- I would say that's true in regard to the
23 total effort. What would be interesting about the
24 districts is just to see where it's being done.

25 A Okay. And to answer your question regarding the

0144

1 district and circuit miles --

2 Q Yes.

3 A -- the reporting requirements in the EW docket,
4 we have a lot of that information. I think we may have --
5 and the time frame it started was in '05. And at this
6 point in time, the quarterly reports are coming in, and
7 I'm thinking -- I'm trying to remember. I think all those
8 -- let me ask Dan. Dan Beck had been looking at those
9 with me. And does that have the circuit miles completed?
10 I believe that's how we've been tracking the --

11 MR. BECK: Yeah. Target for the year and then
12 quarterly updates on where the actual accomplished miles.

13 A Yeah. Total circuit miles, those to be done,
14 those completed, planned for the following year.

15 Q (By Commissioner Gaw) Okay.

16 A It's all -- and that was the tracking mechanism
17 chosen in that docket in order to track compliance, where
18 are you in terms of meeting the commitments on miles.

19 Q Okay. Is -- is there -- since you don't have
20 that information, I don't think you can tell me, but if --
21 is it possible to -- if that information is -- is received
22 to plot out how that looks over the course of a time frame
23 so that I -- so that one could readily see how much it
24 varied from one period to another?

25 A Certainly over the time frame that reporting has

0145

1 been taking place in the EW docket.

2 Q Yes.

3 A Prior to that -- and I think you're looking for
4 a trend.

5 Q I'm looking for a trend in -- in miles, and I'm
6 looking for a trend in dollars, which could be -- could be
7 indicative of several things that I'd want to follow up
8 on.

9 A Uh-huh. And I know we have the circuit miles.
10 I'm trying to recall if the reporting is tied to dollars
11 as well. I don't know that it currently.

12 MR. BECK: I don't think we could get the detail
13 to get the total dollars, but I think the dollars we just
14 get once annually.

15 A Yeah.

16 Q Okay. If I could, I'd like to ask Ameren if
17 they can break that down for dollars because we're getting
18 an annual number, but we're getting the quarter circuit
19 mile reports.

20 A I see. And is there some --

21 MR. ZDELLAR: Yeah the methodology -- pardon me.
22 The methodology was, in fact, to track the working
23 completed to get back on cycle before the six-year cycle.
24 And we'd have to go back and see if we can't associate
25 dollars by district or division associated with that. We

0146

1 can take a look at that.

2 Q Okay. But you would have the information in
3 regard to how many miles the system had in a particular
4 year to maintain --

5 MR. ZDELLAR: Correct. That's correct.

6 COMMISSIONER GAW: You'd also have the number of
7 miles that were completed in a particular year?

8 MR. ZDELLAR: That's correct.

9 COMMISSIONER GAW: And you'd have the amount of
10 dollars that were expended for a particular year?

11 MR. ZDELLAR: Particularly, the detail since the
12 docket. We've gotten onto the program. We've been
13 meeting quarterly with Staff.

14 COMMISSIONER GAW: Yes.

15 MR. ZDELLAR: And actually going through an
16 audit process of where we are.

17 COMMISSIONER GAW: Okay. And that would also
18 break down -- just a second. Okay. When we're -- when
19 we're looking at tree trimming expenditures, I -- just
20 tell me what that includes, what kinds of expenditures, if
21 you know.

22 A Well --

23 Q (By Commissioner Gaw) Mr. Wood, because that's
24 a -- what I'm trying to understand, just so you can see
25 where I'm -- what I'm looking for is can I -- can I, first

0147

1 of all, determine that every year when something's in the
2 budget, it's in for the same thing that it was the year
3 before?

4 A I understand.

5 Q That's one thing. And then the other thing is
6 just generally an understanding of what gets thrown into
7 that category, and -- and that may be a question for the
8 auditors or Ameren.

9 A Well, the primary areas we've been following
10 that are in vegetation management dollars, and there is --
11 there's transmission and distribution broken out
12 separately, reliability projects in general and other
13 maintenance, which would -- you know, includes quite a
14 basket of different things.

15 Q Okay. It would be helpful to know what's in
16 that basket. And then --

17 A Okay.

18 Q -- is it broken down so that I can differentiate
19 between transmission and distribution, and whatever other
20 sub-categories you all are utilizing.

21 A Right.

22 Q I'm seeing nodding heads saying yes, that would
23 be --

24 A Yeah. Yeah.

25 QUESTIONS ASKED TO RON ZDELLAR

0148

1 BY COMMISSIONER GAW:

2 Q Okay. To -- this is to Ameren. The tree
3 trimming cycle in urban areas as opposed to areas that are
4 not as urban, does AmerenUE have a position in regard to
5 whether they should be more frequent?

6 A And I think there's been a lot of discussion
7 around the frequency. The reason I think we concluded was
8 Staff some time ago on the four to six years is in the
9 rural areas, we are able to get more clearance, typically.

10 Discussion was around earlier of co-ops in terms
11 of the kind of clearance co-ops would get. It would be
12 hard to imagine a 20-foot wide swathe of Webster Groves
13 between two property lines that would clear the trees like
14 the co-ops would do.

15 Q Yes.

16 A So -- so that's -- that's pretty hard to do. So
17 the tree trim cycles really depends upon what kind of
18 clearance you can get and go forward.

19 Q Yes.

20 A The issue was also discussed, I think, with the
21 previous person that was here about should be three years
22 and four years. And Staff's testimony -- or Staff's
23 comment, three years was recommended perhaps to be looked
24 at in some areas. And I think those areas are high growth
25 areas, and they're areas of what I'd call old growth trees

1 where you have trees dying.

2 Q Trees have a life just like people. And you
3 know, if you get by there a little more frequently --

4 A I wish it was just like people, actually that
5 people were just like trees. Then we'd be here a lot
6 longer. But it depends on where you are and how many
7 storms hit you, I guess.

8 Q It could be.

9 A I think the issue of old trees, the limbs do
10 break. I've got some in the back of my house.

11 Q What administration was that?

12 A Yeah. Whatever. Yeah. But I think, you know,
13 going in more frequently where you have the larger trees,
14 older trees, it probably will make some sense, but that's
15 something we'll have to evaluate going forward.

16 And I'd be more than happy to have those
17 discussions with Staff and pick some areas to kind of look
18 and see if that makes sense for us.

19 Q Okay. And --

20 COMMISSIONER GAW: Go ahead, Mr. Wood.

21 QUESTIONS ASKED OF WARREN WOOD

22 BY COMMISSIONER GAW:

23 A If I may very quickly, regarding tree trimming
24 cycle, there was maybe some discussion about going to
25 maybe a two-year cycle --

0150

1 Q Yes.

2 A -- is one of the reasons I heard. I would like
3 to indicate the reason the Staff comes down to three as a
4 potential reduced -- reduced time cycle to go to, when we
5 look at other state rules and talk with other Public
6 Service Commissions, the minimum cycle that we see, you
7 know, in the states I've looked at, and I've probably
8 looked at 15 or 20 of them, was three years. That's not
9 to say two years might not be appropriate. But it seems
10 like a very frequent basis to come into an area. So it
11 seems -- it could be nicer to get better clearance and
12 not have to come in so often.

13 Q Is the real question how much clearance you can
14 get?

15 A Yeah.

16 Q And how frequently thereafter you would need to
17 trim based upon how much clearance you have from that
18 trimming?

19 A Yeah.

20 Q That seems to me like to be the part of the
21 equation that we -- we need to -- to work in -- in a
22 better way than where we are today and understanding what
23 those -- what those cycles should be based upon how far
24 back you can trim.

25 A Right. And in the end, it really is an issue of

0151

1 clearance, not the time frame.

2 Q Yeah. It is -- that's what the -- the objective
3 here is not --

4 A Yeah.

5 Q -- just to see how many times you can drive the
6 truck up and down the street.

7 A Yeah.

8 Q It's to keep the limbs out of lines, I assume.

9 A Yes.

10 Q So one other question on the tree trimming
11 budget. When -- when does that include tree removal?

12 A Yes.

13 Q Okay. Because I was a little confused earlier.
14 There was maybe some distinction between tree trimming and
15 tree removal being confused.

16 Okay. So there isn't a difference as far as the
17 budget is concerned. Now, in -- in the easements that
18 AmerenUE has in St. Louis city and some of the areas in
19 St. Louis County, are those easements derived from --
20 originlally from the private property owner, or are they
21 in some cases strictly easements that are derived as a
22 result of the ability of the utility to place their --
23 their poles and lines in a public right of way, if you
24 know?

MR. BYRNE: I -- I guess the answer is
25 both, your Honor.

1 COMMISSIONER GAW: I, I thought that was
2 probably true, but I -- I had never asked the question.

3 MR. BYRNE: Yeah.

4 COMMISSIONER GAW: Yeah. So if -- if you're in
5 a public right of way where you -- you have a line because
6 you have the franchise to -- to put your -- your lines in,
7 do you know how far that easement in that case extends?
8 And is it -- is it something that would just go to the
9 edge of the public right of way? Do you know?

10 MR. BYRNE: I -- I don't know. But I think it
11 can vary from franchise to franchise. I mean, you have to
12 look at the terms of each individual franchise, I believe.

13 COMMISSIONER GAW: And if it's a private
14 easement, that would be defined, I assume, by the terms of
15 the easement?

16 MR. BYRNE: Yes.

17 COMMISSIONER GAW: And would that also vary, or
18 do you know?

19 MR. BYRNE: Yes. You know, I -- I -- we've been
20 in business for a hundred years. And we've had -- we have
21 easements that go back a hundred years.

22 COMMISSIONER GAW: Yes.

23 MR. BYRNE: So they're -- over time, there have
24 been different easement instruments used. And so --

25 COMMISSIONER GAW: Is it -- is it possible that

0153

1 some of those easements are not wide enough to allow --
2 allow tree trimming to the extent that ought to be done?
3 Or do you -- if you know?

4 MR. BYRNE: I don't know for sure. There's --
5 you know, there's so many easements.

6 COMMISSIONER GAW: Yes.

7 MR. BYRNE: Probably anything's possible in the
8 -- in the universe of easements out there.

9 COMMISSIONER GAW: Well, the reason I'm asking
10 is to -- to understand whether or not there -- there is
11 some -- ought to be some discussion about whether the
12 easements are wide enough in some of those areas because
13 the -- the easements -- easements as part of Ameren's --
14 Ameren's ability to -- Ameren's ability to -- to acquire
15 additional footage, if that would be prudent.

16 MR. BYRNE: Yeah. That's -- that's certainly a
17 fair question.

18 COMMISSIONER GAW: Okay. And I don't know how
19 to do this because I don't want to go through and see --
20 there may be hundreds of these things that vary one to
21 another.

22 But up to this point in time today, no one has
23 been able to tell me what we're dealing with on these
24 widths in a way that gives me any kind of guidance on
25 where the problem -- where the problems lie and whether

1 they're private property issues or whether they're issues
2 about the easement, whether they're issues about people
3 not looking yet to see where their easement extends so
4 maybe they could trim back farther than -- than where we
5 are.

6 And I -- I'm trying to get to the point where
7 there's enough specific information to tell us whether
8 part of the problem can be dealt with, not all of it, but
9 part of it, by understanding how wide these easements are.

10 Now, I don't know how you all can work through
11 that, but I don't think -- it doesn't appear to me that
12 anyone's worked that part of this discussion to this point
13 to the extent of knowing what -- where those easements
14 are, how far they go.

15 So I don't know if you've got a suggestion,
16 Mr. Wood, or Ameren or Public Counsel or anyone else, but
17 I'm -- I would be interested in knowing how we can get
18 enough information in order to make some assessment there.

19 MR. BYRNE: Commissioner, I can think -- even
20 though there are many, many easements and there's many
21 iterations over the years, there are, I believe, some
22 standard, you -- you know, some standard forms that
23 encompass a high percentage of the easements.

24 COMMISSIONER GAW: I would expect that, too.

25 MR. BYRNE: So without -- without looking at

0155

1 every single easement, I think you can get a -- get a
2 pretty good idea of -- you know, by looking at a few sets
3 of language what -- what the majority of them are like.

4 COMMISSIONER GAW: And perhaps an idea about the
5 footages?

6 MR. BYRNE: The footages, yes.

7 COMMISSIONER GAW: Which would be -- which would
8 be helpful.

9 MR. BYRNE: Okay.

10 COMMISSIONER GAW: Okay.

11 QUESTIONS ASKED OF WARREN WOOD

12 BY COMMISSIONER GAW:

13 A If I may?

14 Q Go ahead, Mr. Wood.

15 A In visioning looking at the easements -- this is
16 part of that legal -- you know, I don't know if it's a
17 legal issue or not.

18 Q Yes.

19 A Looking at the easement, deciding if these are
20 sufficient or not. Does -- you know, does that currently
21 provide you the authority you need to get the trees
22 cleared of the line. And if so, you're done. And if not,
23 what do we need to do to change that?

24 Q Yes.

25 A That's kind of the path we were thinking about

0156

1 to get there, but we're obviously not done.

2 Q I understand. But I -- I see that as a -- an
3 important part of what needs to be worked through.

4 QUESTIONS ASKED OF RON ZDELLAR

5 BY COMMISSIONER GAW:

6 Q Mr. Zdellar, now, you heard Mr. Wyrick
7 testifying earlier about this program back in the '90s.
8 And I heard you testify earlier that you'd never heard of
9 a program that sounded like that.

10 But I want to ask you again if that rings any
11 bells to you now that he's --

12 A Well --

13 Q -- made some statements about it?

14 A Having -- first off, we have people today who go
15 in front of our crews and talk to customers about removals
16 and trimming in the neighborhood and things like that.
17 That happens today. That happens with our own
18 supervisors. It happens with supervisors that work for
19 the contractor.

20 So I'm not knowledgeable precisely of what we
21 did with Mr. Wyrick when he was a bargaining
22 representative -- bargaining member working for Shade Tree
23 Company.

24 The programs we have in place have changed over
25 the years. You know, he described, for instance, that

1 when he first started that crews went out and did some
2 work. I think Commissioner Clayton asked, Well, is there
3 any measures of performance, and he said no.

4 Well, quite frankly, that's why we changed. We
5 were basically, years ago, time and material. We paid by
6 the hour and attempted to do some audits of -- of what
7 took place out there in terms of quality.

8 And that was pretty much the program years ago.
9 After that, we went into a process where we had the
10 contractors bid on a per circuit basis and took the -- the
11 winning bids in that process.

12 More recently, we've come to a program that --
13 that is described in place now. It really looks at
14 circuit miles, and that really ties into our requirement
15 that we get on cycle within four to six years.

16 So we were budgeting so many circuit miles per
17 year. And the contractors are basically committed to
18 making those -- those kinds of miles. That's the
19 performance measure. Contractors perform better than
20 other contractors. There are incentives. And the
21 incentives are they either lose crews or gain crews.

22 Q So that -- that was fairly much what he was
23 testifying to, wasn't it?

24 A That's correct. And the thing he missed, I
25 think, in his testimony, though, was, in fact, we do

0158

1 audits. We do quality audits. So it's not a question of
2 these guys are slip-shod going through the motions, if you
3 will, to get circuits trimmed by a time frame. We audit
4 these contractors to make sure they are meeting our
5 requirements for trim.

6 Q What are your requirements, Mr. Zdellar? How
7 far back from the wires?

8 A Well, I'd have to get the details of what we do
9 in terms of trimming and species. I don't have -- don't
10 have the details with me, but we audit the work.

11 Q I understand you audit it. But I -- you're the
12 -- you can't tell me what the --

13 A I don't have -- I cannot tell you.

14 Q And so far no one who has been here has been
15 able to tell me that there are standards that they can
16 recite.

17 A We can provide you standards.

18 Q And do you have -- you don't have any specific
19 knowledge about the program that Mr. Wyrick was describing
20 back in the '90s?

21 A No, I do not.

22 Q Who would know that?

23 A The management of our forestry operation, our
24 vegetation management process.

25 Q Who is that?

0159

1 A Ray Weezenheim (ph.).

2 Q Would anybody else be familiar with it?

3 A My guess is a couple of the superintendents that
4 worked for him.

5 Q And who would that be?

6 A Rick Shank would be Missouri operations.

7 Q Okay. What's -- what was the second name?

8 A The other fellows pretty much work in Illinois
9 now.

10 Q Okay. What was his name?

11 A Tom Bierman.

12 Q So at this point in time, when you say there are
13 some quality standards that -- that they -- can you -- can
14 you give me some specifics, any specifics, about crews
15 that were cut back as a result of not meeting quality
16 standards?

17 A No. I -- I have no examples of that in terms of
18 quality standards.

19 Q Can you do that in regard to -- to teams not
20 meeting -- or contractors not meeting the mile
21 requirements?

22 A I can't do it today. I can certainly check to
23 see if any of that's taken place in the last year or two,
24 whatever you -- whatever you look at.

25 Q Is it true that crews were cut back on November

0160

1 the 17th?

2 A Yes.

3 Q And how many crews were cut?

4 A I think his number was 18 or something like
5 that. And I think that's about right. To give some
6 explanation, there was sort of an implication that it had
7 some relationship with the date as the Staff report.

8 Q It is the same date?

9 A It is the same date. There's no question about
10 it. It's purely coincidence. I'm sure the people in
11 vegetation management had no idea the report to Staff was
12 going to be dated the 17th.

13 I might mention in terms of the way we use
14 contractors in tree trimming, and you talked about it
15 earlier, a lot of things are included with tree trimming.
16 It's not just actual trimming of trees, but herbicide
17 applications, helicopter trimming on some of our
18 transmission rights of way and all those kinds of things
19 play together for an overall budget.

20 That budget is developed early -- early in the
21 year, and it's based on work to be done, miles to be
22 trimmed. And there's an assumption in there in terms of
23 weather days.

24 Tree trimming contractors on weather days pay
25 employees a show-up rate, and then they're off the rest of

0161

1 the day without pay. We figure in the budgeting process a
2 certain number of those weather days.

3 If we get toward the end of the year, as we are
4 now, and we haven't had as many weather days as we
5 budgeted, we shut down the crews because we're on budget,
6 we're on target with our cycles and our commitment, and
7 there's no reason to keep those crews on.

8 Q So even though Ameren -- now, let me ask you
9 this: Is Ameren caught up with its tree trimming back up
10 to where it's supposed to be?

11 A We are on schedule --

12 Q That's not my question. Are you -- are you --
13 are you no longer behind in your tree trimming?

14 A We are -- we are behind on four and six year
15 cycles. Yes, we are on commitment with Commission and
16 Staff to get on there by the end of '08.

17 Q But you're still behind today?

18 A We're behind today. Will be till the end of
19 '08.

20 Q Yes. Because you view that Staff requirement as
21 a minimum, then? Is that -- would that not be true?

22 A That's -- that's --

23 Q You're viewing that requirement as a minimum
24 that you get there by '08 and not -- and not any sooner?

25 A That's the -- that's the agreed-upon time.

0162

1 QUESTIONS ASKED OF WARREN WOOD

2 BY COMMISSIONER GAW:

3 Q Is that Staff's view of how they should be
4 treating that agreement?

5 A The language requires that they come back onto
6 schedule by December 31st, '08 no -- no later than
7 December 31st, '08.

8 Q Would you view it as being contrary to that
9 agreement for them to get it done sooner?

10 A No.

11 Q Were the -- was any of the damage from the ice
12 storm -- I'm not going to go very far this way, but any of
13 the damage from the ice storm that we had recently in St.
14 Louis due to just straight dropped limbs?

15 A I'm certain it was. I don't have a breakdown
16 into numbers like that.

17 Q I'm not going to ask you what they were.

18 A Yeah.

19 Q I'm just asking you whether -- whether that was
20 the case.

21 A Well, undoubtedly, with the overhanging tree
22 structure and the ice, yeah, there certainly would have
23 been some outages from that.

24 Q Could some of those limbs have been trimmed if
25 they would have continued at full force after November?

0163

1 I'm not saying the lot of them, but would some of them
2 have likely been trimmed?

3 A Well, your question is if those crews stayed and
4 trimmed the work --

5 Q Yes.

6 A And they were assigned to cut overhangs, would
7 those overhangs have been removed?

8 Q Yes.

9 A Well, certainly, if there were more crews that
10 were doing that work, that certainly could have been done.

11 Q So what I'm getting at is what were those crews
12 that were laid off doing? What were they assigned to do?
13 Were they assigned to do something else? Were they
14 herbicide people? Were they -- were they doing something
15 else that would -- that would perhaps explain that in that
16 time of the year it was no longer appropriate for them to
17 be doing what they normally did?

18 A I don't know what they were assigned to.

19 Q All right. I realize that. But that's what I
20 need to find out, I guess.

21 QUESTIONS ASKED OF MR. RON ZDELLAR

22 BY COMMISSIONER GAW:

23 Q Mr. Zdellar?

24 A Specifically, the individuals -- I'm assuming
25 that they were on cycle trim, which is different than the

0164

1 question you asked Mr. Wood, which was would they be
2 removing overhang. And had we kept them on, they would
3 have been continued on cycle trim. They would not have
4 been removing overhang.

5 Q Explain the difference to me.

6 A There again, we talked about the cycle trim that
7 had been in place for years is to prevent incidental
8 contact. It's not to prevent major damage from storms.

9 Q Because you don't have a program to do that?

10 A That's correct.

11 Q I want to --

12 A And I might add, we don't have a program to do
13 it yet, but we are -- we are doing some things in a
14 pile-up fashion, and we have shared that with Commission
15 Staff. And that is part of our support for the Staff's
16 recommendations going forward that we, in fact, do embark
17 on a much more serious program of removals.

18 Q All right. And I'm struggling with why this
19 isn't in effect already, but I'll -- I will ask more
20 questions about that in another menu.

21 This -- the infrastructure replacement -- oh,
22 let me ask you this: So in regard to -- to tree trimming
23 standards, you think there may be some quality standards,
24 and you're going to provide that to the Commission?

25 A We will do that.

0165

1 Q And, also, the dates when they were in effect.

2 And I'd like to see whether that -- you have those back --
3 going back at least 15 years.

4 A We will look into that.

5 QUESTIONS ASKED OF WARREN WOOD

6 BY COMMISSIONER GAW:

7 Q On infrastructure, first of all, in regard to
8 the inspection of infrastructure and, particularly,
9 distribution systems and -- can you -- can you tell me
10 again what it is that Ameren does on those inspections and
11 how frequently they occurred, Mr. Wood?

12 A The inspection of infrastructure. There's a
13 couple of different programs. If I can find those, I've
14 got them summarized in one place. I was hoping to find
15 that.

16 Yeah. Here it is. And this is just the
17 inspection of infrastructure as opposed to things like cap
18 fusing, reliability projects. Just specific to
19 infrastructure inspection.

20 Q Yes. But I -- I want you to touch on the other,
21 too, when you get to it.

22 A Okay. There is the overhead circuit
23 inspections, the division reliability reviews.

24 Q When you're doing this, could you give me the
25 frequency?

0166

1 A The overhead circuit inspections, if I'm
2 connecting to the right program, are tied to their -- the
3 vegetation management contractors that are going out doing
4 that work. They -- one of the things they do is identify
5 overhead circuit problems if they see them.

6 Q So this is the tree trimmers looking at this?

7 A Yes.

8 Q The tree trimmers are -- what is the -- what are
9 they looking for?

10 A Broken cross arms, any number of different
11 things on the overhead structure that appear broken.

12 Q Does -- does Ameren rely on those tree trimmers
13 to -- to provide an inspection? Is that what you're
14 saying?

15 A Yes.

16 Q It's not just, Oh, while you're out there, we
17 want you to look at this as an extra? It's an actual part
18 of the routine of inspection?

19 A Yes. As portrayed to me, that is the way it
20 works.

21 Q Okay.

22 A And I should note there's also the feeder
23 subtransmission poles and transmission pole inspection
24 programs.

25 Q Okay.

0167

1 A And those are on a post 15 years and replaced.

2 And then they are every 10 years that they're looked at

3 after that.

4 Q Say it again. What was the first part?

5 A After 15 years, they're looked at on a ten-year

6 cycle.

7 Q Okay. All right.

8 A And Staff --

9 Q Who does that?

10 A It used to be one contractor. I want to check

11 who the --

12 MR. ZDELLAR: Subcontractor.

13 A Who is the contractor now?

14 MR. ZDELLAR: I'm not sure who the contractor is

15 today, but it is done by a contractor.

16 A Okay.

17 Q (By Commissioner Gaw) Okay.

18 A Not -- this isn't the tree trimming, per se.

19 This is specific to this -- this group. And I know at one

20 point in time we looked at it, it was the same contractor

21 that was doing the co-op as well inspecting the poles in

22 my area.

23 Q Okay.

24 A This does not include, however, the non-feeder

25 distribution poles.

0168

1 Q Okay.

2 A And that was one of the issues Staff, when
3 looking at the frequency of inspections, we thought that
4 the reject rate on the non-feeder distribution poles seems
5 low, which is why we recommended that that be done.

6 Q Who is doing the non-feeder distribution poles?

7 A Well, they would potentially fall under the
8 overhead circuit inspections as they're going through
9 seeing if a pole is defective. But if there's not any
10 vegetation --

11 Q Tree trimmers?

12 A Yes. Or it might be under the third party
13 attachment program, which is how they're evaluating NSC
14 violations for like cable or telecommunications
15 connections off of their poles. They have a third party
16 attachment audit program.

17 Q How often would that occur?

18 A It started in -- I have that somewhere.

19 Q That's all right. You can -- you can point it
20 out to me later if you want.

21 MR. ZDELLAR: It's on a four-year cycle.

22 Q (By Commissioner Gaw) Four. So these poles are
23 inspected every four years?

24 A The ones that have a third party attachment
25 audit on them.

0169

1 Q Oh, I see.

2 A But --

3 Q That wouldn't be all of them. Would it be --

4 A Well, there are -- there are poles that don't
5 have a cable or telecommunications connection and may not
6 have vegetation around them for vegetation management
7 reviews.

8 Q Okay.

9 A So I -- I wouldn't say that all distribution
10 poles are looked at on a given cycle currently.

11 Q What's the -- what's the inspection that's done
12 of those non-feeder poles?

13 A It either falls -- if there's vegetation around
14 them, it would potentially fall under the overhead circuit
15 inspection programs when they're going through doing their
16 vegetation cycle.

17 Q Could they drill into the pole, do that kind of
18 thing?

19 A No. It's not that -- it's not --

20 Q They look at them and --

21 A It's more of a visual audit.

22 Q They eyeball it?

23 A Yes. Yeah.

24 Q What else?

25 A Now, if you look at the subtransmission feeder

0170

1 and transmission poles, that is -- that is the full -- you
2 know, I think we have our US 1730 piece standard in our
3 report. That's a pretty aggressive program for drilling,
4 you know, fumigating, excavating around the base, treating
5 and all that. Those poles fall into that type of a
6 program.

7 Q So if a recommendation went through, it would
8 have to report back when they were doing that type of an
9 inspection?

10 A Yes.

11 Q Does it actually require that type of an
12 inspection or just require them to report to you what
13 they're doing with regard --

14 A It would require reporting of what they are
15 doing.

16 Q Okay. Okay. Did I cut you off, Warren?

17 A No. I don't believe so.

18 Q Were we going down a list?

19 A It was the overhead circuit inspection programs.

20 Q Yeah.

21 A The pole inspections for transmission
22 distribution, the third party attachment programs. And
23 those are the issues we focused on. I'm sure there are
24 power plant and transmission, you know, substation --

25 Q Yes.

0171

1 A -- inspection programs that are also out there.

2 But that wasn't assessed in our report.

3 Q Okay. What about the actual wires themselves?

4 A Would fall under the overhead circuit

5 inspections.

6 Q Between -- and the tree trimmers are doing that?

7 A Yes.

8 Q No one else?

9 A Well, it would potentially fall under the third
10 party attachment if they're in the area looking up at, you
11 know, related to a third party attachment.

12 Q But that would be based upon whether or not they
13 had something else attached to the pole?

14 A And I -- you know, maybe somebody would correct
15 me on it, but I don't believe there's a -- there's a
16 program specific to circuit inspections on a given cycle.

17 QUESTIONS ASKED OF RON ZDELLAR:

18 BY COMMISSIONER GAW:

19 Q Okay. Mr. Zdellar, do you want to respond to
20 any of that?

21 A That is generally correct. Although under our
22 performing circuit analysis that goes out to the
23 divisions, if we have problems with the circuit that
24 circuit would be then inspected and corrective action
25 would be taken if we've had a reliability issue with a

0172

1 circuit.

2 MR. WOOD: Yeah. And there's some overlap with
3 reliability projects, which I haven't talked about. You
4 know, I think what Mr. Zdellar was talking about was the
5 reliability issues where if there's been a device that's
6 failed several times, it's triggered up to district
7 engineering and the device would be analyzed, cap fused,
8 recloser, a particular circuit.

9 QUESTIONS ASKED OF WARREN WOOD

10 BY COMMISSIONER GAW:

11 Q But a pole is not -- that's getting rotting --
12 getting rotten -- excuse me -- isn't likely to cause a
13 problem until it actually falls over, is it?

14 A Not likely.

15 Q And is it your experience that when you look at
16 a pole on the outside you can always tell whether or not
17 it's about ready to fall over?

18 A It -- I am not an expert on pole inspections,
19 but it's my impression from looking at other -- other
20 different industry studies on that visual inspection. It
21 may not catch all the poles out there that are defective.

22 Q Sometimes they rot from the inside, don't they?

23 A Quite often, they do. And quite often, they --
24 most of the rot is below grade.

25 Q Below grade?

0173

1 A Below grade.

2 Q Like below ground?

3 A Yeah.

4 QUESTIONS ASKED OF MR. RON ZDELLAR

5 BY COMMISSIONER GAW:

6 Q And, Mr. Zdellar, you -- again, you're not dis --
7 disputing what Mr. Wood is saying?

8 A Not at all. In fact, at some point, since we've
9 got into this discussion about facility inspections, in
10 our response to -- to the Staff's willing recommendations,
11 we -- we included a rather long list of parts of our
12 distribution business that we believe meet the kinds of
13 transparency that I think you're heading towards in terms
14 of cycle length and what we could in terms of description
15 that is -- that is our response to the Staff's kind of
16 question about what we think we ought to be doing.

17 We are certainly willing to visit with Staff to
18 see if this is something that falls in line with what
19 their expectations are, and we are, again, ready to make a
20 commitment on these particular terms and develop a
21 reporting frame work that says where we are, what we're
22 doing and when we're doing it.

23 Q And would you also, then, not object to having
24 some sort of a -- of a requirement in regard to
25 inspections and how frequently they occur and what

0174

1 generally they require?

2 A No objection.

3 QUESTIONS ASKED OF WARREN WOOD

4 BY COMMISSIONER GAW:

5 Q Okay. Regarding reliability, does -- what does
6 -- Mr. Zdellar or Mr. Wood, either one, what reliability
7 standards does Ameren have in regard to -- in regard to
8 outages and -- and -- and where -- where would I find them
9 if I were looking for them, Mr. Wood?

10 A If you can find a national standard for -- I
11 mean, how you calculate the metrics is quite well
12 understood.

13 Q Okay.

14 A You know, SAFE, KADI, all these different
15 duration and frequency metrics are quite well explained in
16 a number of different standard literature. And so that's
17 not the problem.

18 You come up with a number, say 1.5. Well, what
19 does that mean? Is that good? Is that bad? Does it
20 compare well to a national average?

21 A standard in that area is maybe somebody here
22 has found a good one. I would be very interested if they
23 have. What we see more often than not, and Mike Taylor
24 can correct me if I'm wrong on this.

25 If you're establishing a standard more likely

0175

1 than not, what they've done is they've taken several years
2 and calculated some number and changed it some way to
3 create a benchmark, if you have a safety value as opposed
4 to referring to some ANSI or some other standard. I
5 haven't seen any standards on that. More likely than not,
6 state have taken their own -- their own numbers, and it's
7 usually utility specific.

8 Q The -- does -- does Ameren have a standard now
9 in terms of reliability that's acceptable to them or not
10 acceptable?

11 A They have district reliability reviews conducted
12 within each of their districts. There are current observed
13 safety levels and simple interruption frequency index is
14 basically a measure of how often the average customer is
15 experiencing an outage. No measures that long, just the
16 number.

17 And that ranking in on -- on the safety value
18 and they have targets where they're trying to move the
19 safety value to, and it's lower than their current safety
20 in each of those districts.

21 Q What is a district? Define a district to me.

22 A To me, they are regions on the map that -- that
23 connect together and that breaks up Ameren's service
24 territory in terms of their district engineering offices.
25 And there's probably some other good criteria of why they

0176

1 were broken up the way they were that Mr. Zdellar can talk
2 about.

3 QUESTIONS ASKED OF RON ZDELLAR

4 BY COMMISSIONER GAW:

5 Q Mr. Zdellar?

6 A The breakup is really in terms of varying
7 responsibility both in geography, numbers of customers
8 sort of -- sort of breakdowns.

9 Q Okay. Does it have anything to do with how the
10 system is tied together?

11 A Not directly.

12 Q Okay.

13 MR. WOOD: That's what -- that's what I was
14 afraid of. There was a tie there, and I wasn't aware of
15 it, so I'm glad it really is --

16 Q (By Commissioner Gaw) Okay.

17 A Most of our -- most of our services cross
18 multiple districts. When you get into outlying areas, a
19 lot of those circuits are more contained within a division
20 or district. If you get into St. Louis county, they
21 overlap.

22 Q Okay. And how -- how many districts does Ameren
23 have in Missouri?

24 A Well, we have eight reporting divisions, but
25 within each division there are, in some cases, multiple

0177

1 districts, and we've consolidated some of the -- what used
2 to be districts to provide more central management.

3 Q Does -- does the State have any reliability
4 compliance standard?

5 MR. WOOD: No. At least not yet.

6 Q (By Commissioner Gaw) Does Ameren have any
7 policy in regard to giving customers credit for outages?

8 A No, we don't.

9 QUESTIONS ASKED OF WARREN WOOD

10 BY COMMISSIONER GAW:

11 Q I wanted to talk a little bit about the
12 underground question. We hit on it some. Earlier,
13 Mr. Wood, you pointed out that you -- you think that there
14 are significant numbers of new subdivisions that are
15 underground. Can you give me more detail on that?

16 A Once again, this largely comes from just
17 speaking with the utilities. I haven't seen numbers on
18 this. But I've heard different utilities indicating that
19 somewhere in excess of 90 percent of new residential
20 subdivisions are typically being brought in underground.

21 The developer or whatever has put in the conduit
22 with the agreement that the utility then pulls the line
23 through and serves the house underground.

24 COMMISSIONER GAW: I see. And, Mr. Zdellar,
25 would you agree with that?

0178

1 MR. ZDELLAR: I would agree with that. Some of
2 -- some counties like St. Louis County, it's a
3 requirement.

4 MR. WOOD: Oh.

5 COMMISSIONER GAW: Do you have to abide by that
6 requirement?

7 MR. ZDELLAR: Yes.

8 COMMISSIONER GAW: Based upon -- based upon
9 what? What is it -- do you know what, Mr. Byrne?

10 MR. BYRNE: I -- I mean, I think it's -- I think
11 it's a requirement on the developer. You know, it's the
12 developer that ends up paying for the underground, so --

13 COMMISSIONER GAW: Oh, I see. So the developer
14 is required to --

15 MR. BYRNE: That's my understanding.

16 COMMISSIONER GAW: As a part of getting a
17 license or whatever they would need to develop a
18 particular subdivision?

19 MR. BYRNE: Right.

20 QUESTIONS ASKED OF RON ZDELLAR

21 BY COMMISSIONER GAW:

22 Q Okay. That makes more sense to me. Okay. And
23 then the dispense of the undergrounding, then, if the
24 developer had laid the conduit in comparison to putting it
25 above ground, if it was all Ameren's -- whatever Ameren

0179

1 would normally pay for putting it above ground, how does
2 that compare, if you know?

3 A I don't know if I have precise numbers, but it's
4 fairly equivalent.

5 Q In those areas that are underground in that
6 fashion, does -- does Ameren see a problem from its
7 vantage point in maintaining those lines underground?

8 A This may be a long answer or a shortage for that
9 one.

10 Q Okay. I'm trying to confine it right now just
11 to those new subdivisions because I know there are all
12 sorts of things in other places.

13 A In new subdivisions, it is not a problem.

14 Basically, design standards are now front lot
15 distribution, transformers join the front of the
16 properties, meters on the front -- the front of homes.

17 Standards years ago was rear lot. Basically,
18 took the poles out of their rear property line, put it
19 underground right where the poles used to be, meters on
20 the back of the houses.

21 The cable technology was far different years
22 ago. We're seeing failure rates on cable that was
23 installed years ago. So I'd say it's a mixed answer.
24 It's a -- might get a little bit of a generation aspect.

25 But, quite frankly, we are very comfortable with

0180

1 what we're doing in new subdivisions today, the conduit
2 installations and willing to fully recommend to the extent
3 possible that that would be the type of construction in
4 the future.

5 Q Okay. Would -- would you all have an opinion --
6 and, again, I recognize there's all sorts of debate that
7 erupts when we talk about undergrounding lines that are
8 already above ground. I'm not trying to go get into that
9 discussion because everybody will get into their defensive
10 position.

11 What I'm looking for is just an understanding in
12 regard to these new subdivisions. And you can add that
13 caveat every time you answer if you feel the need. Is the
14 -- do we have the prospect of having some additional
15 reliability in -- in -- in regard to how -- dealing with
16 storm damage in those subdivisions that are undergrounded
17 in that fashion?

18 A As opposed to if we -- if we would have hooked
19 them up overhead?

20 Q Yes.

21 A Absolutely.

22 MR. WOOD: I should note that's with the higher
23 gray codings that are in the current buried cables and in
24 a conduit installation.

25 COMMISSIONER GAW: Okay.

0181

1 MR. WOOD: As opposed to a direct bury which
2 we've had some bad history with.

3 COMMISSIONER GAW: And I -- I know. And that's
4 why I'm trying to avoid that because it would take a
5 while, and I don't really want to have that discussion --
6 at this moment.

7 MR. WOOD: Very prudent.

8 COMMISSIONER GAW: At some point, it probably
9 needs to be discussed.

10 MR. WOOD: Yeah.

11 QUESTIONS ASKED OF WARREN WOOD

12 BY COMMISSIONER GAW:

13 Q But I'm taking a lot of time already, so -- in
14 regard to -- well, I think I've asked that question
15 already. I remember that. Question of how -- of failures
16 of underground systems.

17 Has Staff looked at reliability standards in
18 other states at this point that are required by statutes
19 or rule?

20 A Yes.

21 Q Okay. How many states?

22 A Quickly --

23 Q Or if you know the list?

24 A Mike Taylor has been doing a lot of the foot
25 work on this. Mike?

0182

1 QUESTIONS ASKED OF MIKE TAYLOR

2 BY COMMISSIONER GAW:

3 Q Go ahead, Mr. Taylor. Say your same name and
4 who you're with for the record.

5 A Mike Taylor, Engineering Analysis. Probably
6 looked at four, five, six states that had specific
7 requirements. Many of them, like Mr. Wood said earlier,
8 were based on a historical perspective with some
9 improvement mandated.

10 Q Okay. And --

11 MR. WOOD: And many --

12 A And it was broken down, like he said, in many
13 cases not just by utility but by divisions, operating
14 areas, things like that. The -- the numbers vary widely.

15 MR. WOOD: And the number of -- the number of
16 these reliability states where they've done this, it was
17 under legislation when they restructured that included
18 something in effect that reliability shall be maintained
19 or improved --

20 COMMISSIONER GAW: Okay.

21 MR. WOOD: -- associated with restructuring of
22 our markets in the state.

23 QUESTIONS ASKED OF WARREN WOOD

24 BY COMMISSIONER GAW:

25 Q Okay.

0183

1 A That's not -- that's not -- that isn't in all
2 states where that's happened. But in most of the states
3 where we've seen that kind of, you know, legislation of
4 them related to the reliability standard rulemaking --

5 Q Yes.

6 A -- had that kind of legislation behind it.

7 Q And that doesn't necessarily mean that the
8 setting of reliability standards was a bad idea to you,
9 does it?

10 A Oh, no. Not at all.

11 Q I'm switching topics real -- very briefly here.
12 Regarding those facilities that -- that are priority
13 centers, nursing homes, hospitals, things of that sort --

14 A Uh-huh.

15 Q -- first of all, is there any -- any current
16 requirement for back-up generation on those -- on those
17 facilities?

18 A I know some of that. But I know Dan Beck knows,
19 more about it than I do.

20 Q This is the most I've seen you delegate in a
21 while.

22 A I had to.

23 Q It's -- it's -- it's sort of not a bad thing.
24 It's not a bad thing to delegate, so go ahead.

25 MR. BECK: The -- the industry standards are --

1 the standards set by the state actually vary depending on
2 the various facilities, and -- and in general, the
3 hospitals, obviously, we know, you know, have generators.

4 Some of the facilities that -- that had -- that
5 care for some of the most ill patients also have
6 generators. But, basically, there's a whole lot of
7 nursing homes out there that -- that do not have any
8 requirements at all.

9 Q Okay. So there's no requirements on a number of
10 those things that we would consider priority --

11 A Yeah. In terms of --

12 Q -- facilities?

13 A If you were going to do it based on the number
14 of facilities, the vast majority of them would not have
15 requirements.

16 QUESTIONS ASKED OF RON ZDELLAR

17 BY COMMISSIONER GAW:

18 Q Okay. And let me ask Ameren -- is Ameren aware
19 of those prioritized facilities that did not have backup
20 generation? Is that information that you have when you're
21 assessing who needs restoration?

22 A Not typically. We -- since the storms going
23 back to '04, one of the issues came up regarding nursing
24 homes, you know, trying to, I guess, understand where they
25 were to see if we could offer some sort of priority and

0185

1 restoration.

2 And we've gone through a process with the
3 Department of -- I think it's Health and Human Services
4 here at the State level to identify those locations so
5 that we at least know when the power is out. But we don't
6 know what their backup generation assets are or may not
7 be.

8 The second piece, since you bring up the nursing
9 home situation, there -- there are a number of
10 requirements that -- that I'm not fully aware of regarding
11 when you have to move people out of nursing homes when
12 they have loss of power.

13 But I do know that in the storm of -- in July
14 19th, as Mr. Wood had indicated, probably the hottest day
15 of the year, the next day.

16 Q Yes.

17 A And so -- and so there were a matter of hours in
18 terms of which those nursing homes had to be evacuated.
19 And even under the best scenario with the intensity of
20 that storm, there was absolutely no way that we could have
21 restored power to those facilities within the time frame
22 that they had to be evacuated.

23 Q Yes.

24 A And, of course, if you find yourself then trying
25 to assign a priority and one running out there and

0186

1 essentially turning all the wheels and doing everything to
2 put a nursing home back in service that nobody's in, that
3 doesn't seem to be a very effective way to do business.

4 So this is an issue that I think is appropriate
5 to be addressed.

6 QUESTIONS ASKED OF WARREN WOOD

7 BY COMMISSIONER GAW:

8 Q How do we get that addressed in a way that's
9 going to make a difference? Is that -- is there a plan in
10 the report? I recognize that a number of the entities, we
11 don't have oversight or necessarily day-to-day contact
12 with? Is there some plan following the --

13 A Well, actually, prior to the July 19th storms,
14 there had been discussions with Ameren Department of
15 Health and Human Services. And one of the approaches was
16 identifying those that, you know, are on a feeder or off a
17 feeder, what's their location on the system,
18 identification of them.

19 But, also, recognizing that Department of Health
20 and Human Services will be participating in State
21 Emergency Management Agency management meetings when a
22 major accident or outage occurs. And, actually, in the
23 July 19th storms, I would say that the SEMA AC process for
24 identifying those facilities because those facilities were
25 all identif -- calling Health and Human Services saying,

0187

1 Hey, I've got this sort of a situation.

2 They were able to, you know, filter out, well,
3 these are the 12 that are a big problem and we need
4 something done right away. And they would communicate
5 those to Ameren, and we would discuss the status of them
6 in the morning and afternoon, sometimes three times a day.

7 Q Mr. Wood, I under some of that worked well. But
8 I also understand that we got at least one phone call over
9 here about a facility in St. Louis without really having
10 -- there being any identity -- identification of how to
11 get a hold of somebody to do something about it, a
12 generator that wasn't -- wasn't working.

13 And -- and we -- we were able to get a hold of
14 Ameren, and there was resolution and Ameren assisted with
15 that.

16 A Uh-huh.

17 Q But there wasn't -- there wasn't a clear pathway
18 that was understood by that Department at that time.

19 A At that particular facility or --

20 Q By the Department and at that particular
21 facility. That is what I recall, but yes. In the event
22 -- let me ask you -- let me ask this: Is there -- how do
23 we get to the point where we get some plan -- and maybe
24 this is working with SEMA as opposed to working just among
25 the parties here. I don't know.

0188

1 But can we get to the point where, No. 1, we
2 establish a very clear line of communication and -- that
3 -- that identifies facilities who are priorities and
4 acknowledged as priorities can -- can be ensured that they
5 have the ability to let Ameren know what's going on?
6 Ameren -- can Ameren have any kind of a preconceived
7 notion about whether they may or may not have the ability
8 to have backup generation and -- and whether -- and so
9 that there's a -- there's a switch -- there's a
10 presumption that those entities know that if you're off,
11 you call this number.

12 If you don't have -- if your generation isn't
13 working, it's assumed it's not, if you don't have -- if
14 you don't know they've got it, just assume they're off,
15 they don't have it. I don't know what the right answer is
16 there, but there needs to be a process so that -- that
17 everyone understands this is how -- this is how this issue
18 is dealt with from a facility -- from one facility to
19 another and that -- that the policy is -- is the same.

20

21 And then where do you get -- can we -- can we --
22 let me ask -- and this is -- this is -- I'm not suggesting
23 this is a good idea. But when we're dealing with -- with
24 -- with some of the -- some of the businesses that will
25 agree to back down off the grid during peak periods when

1 -- when -- in certain times of the year when things are
2 really stressed on the system.

3 Ameren has a tariff, as some other utilities I
4 think have a tariff, to say that -- there the rate is
5 adjusted. There's a difference in how much is paid.

6 A Peak tail curtailment or something like that.

7 Q Is there any way that an incentive could be
8 built into rates for certain emergency facilities if they
9 have backup generation so that they -- they would receive
10 sort of an incentive to acquire generation if we -- if
11 it's -- to acquire generation if it's not required?

12 And I don't know whether that makes sense or
13 not. It just seems to me like that we're asking them to
14 come up with another way of doing something that's a
15 necessity to -- to people staying alive and that it would
16 be worth looking at what either should be required or what
17 could be made as an incentive to get them into a position
18 where they would be able to handle this situation without
19 moving people out.

20 A And this issue you've mentioned about the idea
21 of some sort of an incentive or some sort of an adjustment
22 in rate as an incentive to have backup generation is
23 something we've talked about before.

24 Q Okay.

25 A One of the problems we run into, if you look at

0190

1 -- and you have to really adjust the rate significantly
2 because the generator -- the generation is expensive, and
3 if you put that aside, the kilowatt hour variable cost
4 because the fuel is very high.

5 Q Yes.

6 A You can't hardly look at the peak load cost of
7 power and offset what it's worth to you from the utility
8 to provide you with power from that generator. That --
9 those levels of cents per kilowatt don't cut it in terms
10 of --

11 MR. BYRNE: The nursing home might have an
12 incentive, aside from the rate incentive, to have backup
13 generation.

14 Q (By Commissioner Gaw) Yeah. I would think so.
15 I would think so, too. But I don't -- I've heard from
16 them and I don't know how to assess that. But it just
17 seems to me that this is -- this is something that this
18 group and others who are not here need to try to address.

19 It would -- it would be something that would
20 lighten up, to the extent that anything gets lightened up,
21 in an emergency situation the -- the dire need of
22 restoration of service in some of these places.

23 But I -- I think that we all know that any time
24 we've got major outages, those -- those places, those
25 nursing homes and some of those group homes -- well, I

0191

1 don't know if a group home qualifies. But some of those
2 -- some of those extended living facilities, some of the
3 mental health facilities, they need to be in a position
4 where they're not having to deal with transporting people,
5 particularly, when its extremely hot and cold.

6 A Yes.

7 COMMISSIONER GAW: Okay. And I -- I'm going to
8 stop there for now. Thank you.

9 JUDGE DALE: We are actually going to take a
10 break until quarter of. Off the record.

11 (Break in proceedings.)

12 JUDGE DALE: If we can come back to order,
13 please. We'll go back on the record and resume with
14 Commissioner Clayton's questions.

15 COMMISSIONER CLAYTON: Thank you, Judge.

16 QUESTIONS ASKED OF WARREN WOOD

17 BY COMMISSIONER CLAYTON:

18 Q A number of the questions that I had have been
19 asked, so I -- I would ask everyone's patience as I go
20 through all my notes since we're getting kind of late in
21 the day. Mr. Wood, I wanted to -- I wanted to ask a
22 question from your response to a statement that was made
23 by Mr. Wyrick when he was on the stand today.

24 And he assessed some responsibility of 33
25 percent or a third, a third, a third to various parties on

0192

1 -- on addressing tree trimming issues. And one of those
2 components was at the -- at the Public Service Commission.
3 And I was wondering if -- if you agreed with that, with --
4 with his statement that there was some bit of
5 responsibility in -- in addressing these issues.

6 Now, if I didn't ask the question clearly, I'll
7 try to ask it again.

8 A Oh, no. You were very clear with the question.
9 I would say if there were rules -- I can't say if it's a
10 third and a tenth, fifth, whatever. I don't have a feel
11 as to that today.

12 I think having these rules in effect will
13 certainly improve the likelihood that we'll see -- or
14 we'll see a reduced likelihood of these sort of outages in
15 the future.

16 Q Should we have been looking at these rules as an
17 issue in 2004 after the first storm?

18 A Looking back hindsight, I would say it would be
19 helpful if those rules had come up as an issue at that
20 time. It wasn't one of the issues that -- you know, the
21 infrastructure inspection, reliability reporting rules,
22 vegetation management -- vegetation was the primary issue
23 identified.

24 And at that time, there wasn't a, you know, from
25 any of the parties, as I recall, clamoring for rules.

0193

1 Although looking back on it, it would have been a good
2 time to start something like that.

3 Q Well, in 2004, basically, there was -- there was
4 just one instance, one storm with a significant outage.

5 A Yes.

6 Q We didn't have a pattern of -- of multiple
7 storms occurring year after year and several occurrences
8 in even 2006. So hindsight, you can always -- we can
9 always have a crystal ball. But is -- should the
10 Commission -- and I don't mean just Staff. I mean all of
11 us together. Should we have been looking at these issues
12 stronger in 2004 than -- than what we did?

13 A Looking back now, I do wish that we had put
14 something like that into effect. But, frankly, looking
15 back at that as well, I recognize in looking at that storm
16 at the time -- and it talks about it a little bit in the
17 report -- it was really an extraordinary event. It was
18 another one of these --

19 Q Which -- which storm was that that was an
20 extraordinary --

21 A 2004.

22 Q 2004 was an extraordinary event?

23 A As well as the 2006 storm. And I -- and I don't
24 use the term extraordinary lightly. If you go out and
25 look at the different design codes, and I talked about

0194

1 this just a little bit earlier, and I have gone out and
2 looked at five different structural design codes that
3 cover our region, and they all are in agreement that wind
4 speeds of 70 miles per hour with peaks in the range of 90
5 miles per hour is a 2 percent per year probability or a
6 one in a 50-year recurrence.

7 If you look at one of these storms in 2004,
8 having two in 2006, we're out there -- and just looking at
9 the statistics, we're out there in excess of, you know,
10 one in a multi-thousand year event to have those kinds of
11 storms that frequently.

12 Q I did want to follow up on that because I
13 believe on page 12 of your report it refers to -- and let
14 me make sure of this. Page 12, it makes reference to this
15 being a one in 100 year storm. And you just said that
16 it's a one in 50 year storm.

17 And then on page 15, there's a reference from
18 the National Weather -- Weather Service that says that
19 every state should experience one of these once or twice
20 every five years.

21 A Yeah. Let me --

22 Q So -- so are we talking about a one in a 50 year
23 storm, a one in 100 year storm, or are we going to see one
24 of these things once or twice every five years?

25 A You made three references, and they're all to

1 different things. The first one was one in 100 years.

2 That was what Ameren had represented to Staff.

3 Q Okay.

4 A Okay. I stated one in 50 years today.

5 Q Okay. So you -- so you disagree with the Ameren
6 assertion of one in 100 years?

7 A No. I said that we didn't find evidence of a
8 more destructive storm in Missouri in the last hundred
9 years. That doesn't necessarily mean it's a one in 100
10 year probability.

11 Q Okay.

12 A Okay. Based on wind speeds.

13 Q Okay.

14 A The 70 miles per hour, 90 miles per hour gust
15 speeds, those are from structural design codes that
16 currently apply in the state of Missouri.

17 The National Weather Service referred to 70
18 miles per hour, which is something more, you know, if --
19 if your peak gust speeds are 70 miles per hour, that's not
20 as uncommon as a 90 mile per hour peak gust. And he said
21 anywhere in the state, and it doesn't identify a
22 particular point in the state. Structural Design Codes
23 are looked at the probability in any particular location,
24 you know, the idea of, you know, we have a lot more than
25 one storm in 50 years in the United States that had 70

1 miles per hour winds. But did it occur over any
2 particular geographic point is a whole other statistical
3 review.

4 Q Okay. How many -- how many storms of -- of this
5 type did you find in the state of Missouri, say, in the
6 last 20 years? You made a reference to some sheet
7 earlier, but I'm not sure if that was nation-wide or
8 regional or state-wide.

9 A In the state of Missouri -- and I'm assuming you
10 don't mean in St. Louis? Or do you mean state-wide?

11 Q Well, let's -- let's pick one of these
12 probability numbers. The National Weather Service says
13 once or twice every five years, and it says state of
14 Missouri may observe those storms.

15 A Right.

16 Q Do you have figures that would, you know, show a
17 10, 20-year period and how many of a similar storm
18 actually occurred?

19 A Well, actually, we've had the storms -- if you
20 look at 70 miles per hour wind speeds in St. Louis, we've
21 had quite a few more than the statistics would -- would
22 say we should have.

23 Q Well, how many -- how many has that been in St.
24 Louis?

25 A Five.

0197

1 Q Over what period of time?

2 A Three years.

3 Q Okay. And how many -- how many of these -- this
4 type of storm greater than 70 miles per hour wind speed
5 has occurred elsewhere in the state of Missouri in the
6 last 10, 20 years? Do you have that information?

7 A I would only have it based on the metropolitan
8 outages like Kansas City Power & Light. And the previous
9 one I have that specifically made reference to those kind
10 of wind speeds was 1982. Now, I do believe --

11 Q But you're looking at outage to judge wind
12 speeds. You're not looking at actual wind speed. So
13 there could have been a storm -- a storm that had a 70
14 miles per hour window -- or wind speed that's just --

15 A And I fully expect there were. I can recall a
16 number of different storms in the last decade that had
17 wind speeds in excess of 70 miles per hour. But they were
18 in the areas that didn't cause large outages, so there's
19 not a --

20 Q So -- so we don't have any data right now to
21 measure the severity of these storms with other locations
22 in Missouri and to -- to compare Ameren's response or
23 Ameren's -- what it suffered and its customers suffered
24 versus what another utility went through with a similar
25 storm?

0198

1 A Other than the Kansas City Power & Light back in
2 1982, no.

3 Q 1982 is the only one?

4 A Yeah.

5 Q Okay. Is that -- is that data that -- that can
6 be found somewhere, or -- or is --

7 A It's this report right here.

8 Q What -- what report are you holding?

9 A Is says, Report on Severe Storms June 7th
10 through 9th, 1982, damage to electric facilities and
11 service restoration activities by Kansas City Power &
12 Light.

13 Q And that -- is that a KCP&L report, or is that a
14 Staff report, PSC Staff report?

15 A I believe this is a Kansas City Power & Light
16 report.

17 Q Okay. But that's dated 1982?

18 A Yes.

19 Q Okay. So that wouldn't have any information on
20 wind speeds greater than 70 miles per hour since 1982 --

21 A True.

22 Q -- right? Okay.

23 A It would not.

24 Q Okay. So is that -- is that data somewhere that
25 can be found, or is it readily available? Or would you

0199

1 just have to go back and look at National Weather Service?

2 A I'd have to go back to National Weather Service
3 for that.

4 Q Okay. How about nationally? Is your answer the
5 same in comparing what utilities from other states -- what
6 their experience would -- what their experience has been
7 with conditions of greater than 70 miles per hour wind
8 speeds?

9 A Well, we looked at January 18th, 2006, there was
10 an outage in New York with wind speeds of 40 miles per
11 hour, gusts of 60 miles per hour. There's a December 15th
12 Washington outage with wind speeds of nearly 70 miles per
13 hour and 90 miles per hour on the coast.

14 There's a -- actually, on the same day that St.
15 Louis was hit by a very large outage in Pennsylvania, July
16 19th, they had 365,000 customers out from a severe
17 thunderstorm. I haven't been able to find good
18 information on the -- the reported wind speeds from that
19 storm.

20 Q Okay. So we're really not sure whether any
21 other utility in the country has -- has had -- has
22 experienced three storms of a similar nature that Ameren
23 has? We just don't know that information?

24 A Outside of some of the cities in Florida that
25 were impacted by four hurricanes in one hurricane season,

0200

1 2004, that's true. We are aware of those -- that outage
2 situation and the restoration and outages associated with
3 those hurricanes.

4 Q Were there -- were there communities that were
5 hit three years in a row? Do you know?

6 A I don't know.

7 Q Don't know. Okay. Do you know or did you study
8 which customers in St. Louis were affected each of the
9 three years by significant outages?

10 A No. Not outside of -- well, I shouldn't say no.
11 Actually, in the hearings that were conducted associated
12 with this, there were -- with this particular outage in
13 July, there were a number of customers that came up and
14 testified about how often they had been out for major
15 storms.

16 And we visited -- I visited and some of the
17 other Staff visited with those individuals, got their
18 name, address, phone number, information, pulled their
19 outage histories, sent those outage histories to them to
20 see if they had any disagreements with what was being
21 represented to us and then ran the numbers in terms of how
22 many times they were out and the reasons they were out and
23 the number of minutes associated with the different reason
24 that they were out, ran some numbers on that information.

25 Q Okay. As a result of those -- as a result of

0201

1 that testimony from the local public hearings and hearing
2 about individuals who had suffered through outages, at
3 least once, twice, three times, did anyone from Staff
4 visit those neighborhoods or areas to look at the damage
5 that was caused?

6 A Yes.

7 Q You did. How many areas or neighborhoods would
8 you say Staff visited to review?

9 A At least three specifically, I know that we
10 looked at when we were performing the storm damage
11 assessment.

12 Q What neighborhoods were those?

13 A They would be three neighborhoods in the Spanish
14 Lake area.

15 Q North County?

16 A Yes.

17 Q Okay. Now, as I understand it, in Spanish Lake,
18 the lines are buried, aren't they?

19 A The areas we were in, there were some overhead
20 lines.

21 Q There were some what?

22 A There were some overhead lines in the area we
23 were.

24 Q Okay. Were those feeder lines or were those
25 your -- and I'll make a mistake?

0202

1 A Back lot -- back lot distribution versus street
2 side feeder?

3 Q Yeah.

4 A Both were there.

5 Q Both were there. Okay.

6 A Uh-huh.

7 Q And those neighborhoods, did they suffer through
8 three different years of outages? Do you recall? Is
9 that why you selected them?

10 A I have all that -- the reason they were selected
11 was because we were in that region. We knew it was an
12 area particularly hard hit by ice. It was an area that
13 had had significant outages in July as well.

14 Q By ice. So you -- these areas weren't visited
15 until recently?

16 A Yes. Right.

17 Q Because they were out again. And we went into
18 those areas to look at what -- look at the density of
19 vegetation and the type of infrastructure.

20 Q What -- what was the density? What did you
21 find?

22 A There were a lot of trees in the area.

23 Q I mean, would that be -- would that be the --
24 the back log of tree trimming that's referred to in the
25 report?

1 A Some of the customers that we -- in those ones
2 that we pulled their outage history, some had had trims
3 within cycle. Some had not.

4 Q Were they adequate trims? Do you know?

5 A In the areas that I recall looking at, the --
6 the tree limbs were not touching the lines in terms of
7 incidental contact, but that doesn't mean they were clear
8 to sky so that as the ice loaded them down something
9 didn't come down on the lines.

10 Q So when you say you looked at the tree trimming
11 tickets or they had been on a trimming cycle, did you
12 evaluate the quality of tree trimming?

13 A Associated with our quarterly reports in the EW
14 docket, myself and, typically, Dan Beck has been the one
15 joining me on those audits. And we have been doing field
16 audits of that trimming.

17 Q And what was your assessment of the quality of
18 the tree trimming on those audits?

19 A It's sufficient for clearance of the line for
20 incidental contact. It's not -- you know, the evaluation
21 -- and there was earlier discussion of what's the
22 standards. And there are contracts that are signed and
23 they exclude quite a few criteria and diagrams of what the
24 tree should look like, what it shouldn't look like when
25 the work is done.

1 In fact, I think I've probably got some of those
2 in my office right now, some of the standards that those
3 contractors are signing onto as to the type of work. We
4 look at those before we do our audits to see if it appears
5 compliant with what we're seeing in the field.

6 While we've talked about they provide incidental
7 clearance, they don't -- their program isn't structured
8 such that you go to blue sky and feeder transmission
9 systems to quote, unquote, harden the system.

10 Q So what was your evaluation of the quality of
11 the tree trimming in those areas that had been covered?
12 Was it low quality? Inadequate quality? Adequate?
13 Sufficient?

14 A Sufficient, not --

15 Q Sufficient?

16 A I would like to see greater clearances. I
17 wouldn't say -- you know, we didn't see something where
18 the tree limbs were just laying on the lines. But there
19 wasn't a lot of clearance there.

20 It certainly wasn't sufficient to, you know,
21 anticipate there wouldn't be major problems in a major
22 storm.

23 Q Is that what Staff had in mind in 2004 in terms
24 of clearing a -- a tree trimming back log was just --
25 you'd still have limbs going through the lines, but they

1 wouldn't be touching? Is that what Staff had in mind?

2 A No. They can come in -- and this is actually --
3 you know, right or wrong, it's quite common if you look at
4 the tree trimming programs that you're trimming to provide
5 for clearance such that the tree limbs are not contacting
6 the lines.

7 Q For the incidental contact, right?

8 A Yes.

9 Q So does Staff believe they should be cleared in
10 preparation of storms?

11 A The recommendations in the storm report we
12 issued in November, yes. We believe that --

13 Q Just --

14 A We believe -- we believe greater clearances are
15 appropriate going forward, and we think that there should
16 -- you know, there should be some sort of a minimum
17 clearance specified beyond simply not touching.

18 Q Okay. So the -- the recommendation on clearing
19 the -- the tree trimming back log from 2004 simply was not
20 addressing the -- the issues associated with tree limbs
21 causing outages during storms?

22 A True.

23 Q In hindsight, are you satisfied with the date of
24 December 31, 2008, as the deadline for catching up on the
25 back log of tree trimming?

1 A I certainly wouldn't have opposed it being moved
2 forward if it was possible.

3 Q How did the -- how did the December 31, 2008,
4 date come up? How was that -- how was that determined or
5 agreed to or whatever happened?

6 A In the work associated with -- in looking at
7 their cycles as what sort of dollars had been expended,
8 where they needed to move the budget to get back onto
9 cycle, there were some concerns expressed about the
10 availability of trained personnel to do the work.

11 And then we had talked about, well, what about
12 two or three years? And in the end, there were a lot of
13 concerns expressed about the ability to bring on -- I
14 guess there's a two-year journeyman training program to
15 qualify for -- to do this kind of work.

16 And the representations made were that
17 accelerating this beyond four years would be very
18 difficult to do with existing -- existing contractor,
19 personnel in the area to do the work.

20 Q So -- so, basically, the lack of tree trimmers
21 was the problem?

22 A It was one of the criteria in -- in choosing
23 four years versus a shorter time period.

24 Q Did -- did you all assess -- did you all make an
25 assessment -- did Staff make an assessment of whether or

0207

1 not there were enough tree trimming folks out there? Did
2 you all check that -- that assertion at all?

3 A No.

4 Q See, I don't know -- I don't know who -- did you
5 participate in the '04 report?

6 A Yes.

7 Q You're sitting on the hot seat today, but I
8 can't remember back in '04. Okay?

9 A Yeah. There were several participating, but I
10 was certainly one of them.

11 Q So do we know whether that's accurate that --
12 whether or not there are a sufficient number of qualified
13 and trained tree trimmers?

14 A No.

15 Q We don't know that. Okay. So in 2004, did we
16 know that?

17 A Those were the representations made. I don't
18 know if that was true.

19 Q And we all accepted those representations? I
20 include me because I think I signed off on the order
21 receiving the report or whatever we did in '04.

22 A Yes. We believed that that was a reasonable
23 time frame to accomplish catching back up on cycle.

24 Q Okay. Do you still believe -- do you -- do you
25 accept that assertion today? Or do you know? And if you

0208

1 don't know --

2 A Well, I do believe now that there are more
3 contractor tree -- you know, tree trimming labor forces
4 available. And I do think that -- that that amount of
5 spending and the ability to clear cut -- now, there's a
6 number of recommendations we had made, No. 8 being our key
7 one regarding clearing of vegetation.

8 And I do believe that there are additional labor
9 forces available to pick up that work and do this
10 hopefully in a pretty rapid manner. You know, I'm
11 thinking this is over a period of years, but --

12 Q So if there's sufficient personnel available,
13 then should -- should there be reconsideration of that
14 December 31, 2008, deadline, or is that -- is that in
15 stone in an agreement?

16 A Well, I won't -- personally, I don't think we're
17 in a position that we would want to accelerate that cycle.
18 If we were to bring in additional tree trimming forces
19 right now, I would rather it be directed at clear cutting
20 or, you know, cutting to sky more of the feeder
21 subtransmission systems as opposed to continuing the
22 clearance cutting.

23 Q So, basically, the -- basically, the plan -- the
24 plan is -- is it obsolete that was agreed to in 2004?

25 A No. I don't believe so.

0209

1 Q I mean, just the -- the date, the type of
2 cutting and the reasons behind it basically don't exist
3 today, so now we want to do something different? Is that
4 what you're telling me?

5 A No. I would say the type of cutting is the one
6 area that an adjustment would need to be made, cutting for
7 broader clearances. But in terms of the circuit mile
8 commitments, getting everything back to cycle, it is
9 certainly a step in the right direction.

10 But rather than accelerating that cycle, if
11 additional forces are brought on to do this work, I would
12 suggest that those be placed onto the recommendation in
13 the Staff's report, which is basically going to the
14 subtransmission feeder sections and cutting for wider site
15 clearances and overhangs.

16 Q Forgive me. What -- those were not identified
17 as part of the vegetation management in '04?

18 A True.

19 Q They were not?

20 A No.

21 Q They weren't part of that?

22 A No.

23 Q Well, then, forgive me. And I'm probably
24 repeating this. Tell me specifically, what did the '04
25 plan mandate? Other than the deadline, what was it --

0210

1 what was the back log and what was supposed to be done in
2 '04?

3 A I can give you the actual years, what cycle they
4 were at when we looked at things in 2004. And the budget
5 information as to what they had been spending and what the
6 budget numbers had dropped to are in the 2004 report.

7 The obligation was to get back onto a four-year
8 or then six-year rural cycle. And there was -- all the
9 circuit miles, districts, all that laid out and the plan
10 for how to get all those cycles back onto four years --
11 all those districts back onto a four-year cycle.

12 That was the commitment. And there -- there is
13 -- continues to be a value in that effort in terms of
14 day-to-day reliability. But storm hardening is something
15 that is -- you know, that is something that's new to this
16 report.

17 Q Which -- which provision, which recommendation
18 is the storm hardening recommendation?

19 A It is representation -- if you go to the
20 Executive Summary --

21 Q I've got -- I've got them all listed out here.
22 Just tell me which number.

23 A Okay. It's No. 8.

24 Q That's the vegetation management?

25 A Yeah. That's -- that is the primary storm

0211

1 hardening.

2 Q Storm hardening. That's what you're referring
3 to.

4 A And Staff refers to that one in addition to the
5 three as kind of its four key recommendations.

6 Q Is -- is the specific agreement -- I -- I reread
7 the '04 report. Is the specific requirement -- or all the
8 requirements that you say were part of the agreement, are
9 -- are each of those specifically listed out in this
10 report?

11 A In the '04 report? No.

12 Q So -- so, really, I just -- I recall that there
13 was going to be a -- there was going to be a catch up on
14 the back log of tree trimming and they were going to
15 comply with a certain schedule. But was the Commission
16 ever given the specific schedule --

17 A Yes.

18 Q -- the actual -- the specific plans that would
19 be included within that?

20 A Yes. It was -- yes.

21 Q And is that in this report?

22 A In the July report of -- the -- the November
23 report of this year?

24 Q Well, no. I'm looking at '04, the
25 recommendations that came out of '04.

0212

1 A The commitments came after that report was
2 issued.

3 Q Okay. So that would not be in this document --

4 A Yes.

5 Q -- but in -- but was that in a document that the
6 Commission approved? I mean, I guess I want to know how I
7 -- how I would have known about the specifics of the tree
8 trimming agreement within it. I mean, the big picture
9 general observations, general commitments. But in terms
10 of specifics --

11 A The specifics were laid out in a November 2nd
12 memo and brought to the Commission's agenda for discussion
13 as to how to resolve the recommendations in the report.

14 Q And it identified specifically each of these
15 areas, the --

16 A The four and six-year cycle, the December 2008,
17 and the increase in expenditures and the audits by Staff,
18 the field audits by Staff.

19 Q Okay. On the expenditures -- and I know that's
20 been mentioned several times, and I know those
21 expenditures were up from 27 million to 32 -- 23 to \$32
22 million at that time. Does -- did Staff do an audit of
23 those expenditures?

24 I mean, are those confirmed figures from Staff's
25 point of view? I'm not saying that there would be

0213

1 anything inappropriate sent by the company. I don't want
2 to suggest that. But -- but I want to know what Staff's
3 plan was in reviewing those figures and determining not
4 just their level, but where they're being spent. Are they
5 being spent on tree trimming issues?

6 A I confirmed those expenditure levels with
7 Auditing.

8 Q With Auditing?

9 A Uh-huh.

10 Q Are there any storm restoration costs that are
11 -- that are included within those tree trimming budgets?
12 For example, you have an outage in '04. Extra workers are
13 brought in to -- to address post-storm issues. Did those
14 numbers get thrown into that figure as well?

15 A No.

16 Q So these are all regular budgeted amounts, under
17 normal circumstances, and they don't include storm
18 response costs?

19 A True.

20 Q Okay. And that is confirmed by Staff. Okay.
21 Okay. If -- if in 2004 we -- we would have adopted the
22 proposals that -- that have now been brought forth by
23 Staff and that they were -- they had taken effect soon
24 thereafter, would there have been any difference in the
25 storm outage of '05 or any of the three outages of '06?

0214

1 A Could you repeat the question?

2 Q If we would have implemented the changes that
3 you're suggesting today in 2004, would there have been any
4 difference in the severity or duration of the outages that
5 occurred in '05 or the three outages that occurred in
6 2006?

7 A '05, very little. '06, possibly -- possibly a
8 small amount. The most noticeable difference might have
9 been the ice storm in November 30th, December 1st because
10 with the major thunderstorms with the high wind speeds, a
11 lot of the trees coming into the lines are outside of the
12 right of way easement.

13 There's just not a lot that's -- you know, you
14 can make some difference in what you do by cutting within
15 the right of way easements, but it's not -- it's not a big
16 percentage change.

17 Ice storms are more likely an area where cutting
18 clear to sky would make a big difference, especially on
19 the subtransmission feeders.

20 Q And at -- prior to the ice storm occurring,
21 you're saying that there wasn't a mandate on the company
22 to do that, was there?

23 A No. And there's not a mandate on the other
24 Investron utilities currently in terms of overhang either.
25 And in looking at other states' standards, it's -- that is

0215

1 not a common standard to see, especially on distribution
2 circuits. Some of the small circuits that are serving a
3 relatively small number of customers.

4 Q Does Illinois have a different standard in that
5 regard than we do?

6 A They do have the -- I'm trying to remember.
7 They have -- I don't believe their rules specify the
8 cycle. Correct? Is that, Dan?

9 MR. ZDELLAR: Four-year -- four-year mandate.

10 MR. BECK: Four-year mandate.

11 Q (By Commissioner Clayton) But isn't that an
12 agreement? Is that in the rules, or is that the agreement
13 that the Staff works out with the company?

14 A I don't believe the rule specifies. But I
15 believe there were agreements from discussion with my
16 counterpart in Illinois.

17 MR. BYRNE: I believe that's right, Warren.

18 A Okay. On the infrastructure inspections, no, I
19 don't believe there's a provision there. The reliability
20 reporting is probably the most significant difference.
21 Yeah.

22 Q (By Commissioner Clayton) Well, let me ask
23 this. And I should --

24 A If I could real quick?

25 Q Sure. Go ahead.

0216

1 A I should note they do have Staff --

2 Q Okay.

3 A -- appointed full-time that are in the field
4 doing the field audits, reviewing vegetation management,
5 infrastructure inspection, things like that whereas, quite
6 honestly, currently within the state of Missouri, we have
7 people that are doing that on an as -- as-needed ad hoc
8 basis. There's not full-time people assigned to field
9 investigations.

10 Q If -- if the tree trimming or the -- the cycles
11 that -- the type of trimming, if these recommendations
12 would not have had any effect on 2005 and would have had
13 very little effect, as you've said, on any of the storms
14 in 2006, why implement them? Why -- why go through the
15 exercise to even go down this path if it wouldn't make any
16 difference?

17 A I didn't say very little for the ice storm. I
18 said that's -- that's one of the areas you'd begin to see,
19 I think, a pretty significant difference. And I mean --
20 when I say significant, I mean, you know, 15, 20 percent
21 improvement in the perform -- in the time frame to restore
22 service to all customers.

23 And Ameren, of course, is welcome to, you know,
24 differ if they have some other observations. The major
25 storms with the -- with high winds, especially where

0217

1 you're blowing in a lot of trees off the easement or
2 outside of the right of way, I think you will see some
3 improvement, especially if you're aggressively going after
4 the subtransmission feeder systems. And I think customers
5 are expecting us to do what we can if there's -- you know,
6 if it's 10, 15, 20 percent, then that's something that
7 should be done.

8 And I think for the cost, people would -- would
9 appreciate that change in reliability.

10 Q These -- these statements that have come up
11 several times about 85 percent of the damage caused by
12 trees outside of the easement or certain percentage of
13 damage being caused by trees in the easement, I -- did --
14 did Staff do a sampling of those figures, or were they
15 just accepted as stated by the company or -- or whenever
16 they came from? I don't -- I'm assuming they came from
17 the company.

18 A Well, you've heard the -- the reference that the
19 company made to it. We also looked at a -- in Utah, they
20 performed a storm inquiry after a major storm in 2003.
21 And as part of that inquiry, they nationally recognized,
22 and they don't say who, tree trimming consultants to
23 review the company's tree trimming policy and inspect a
24 statistically significant number of damaged sites caused
25 by the storm concluded that 90 percent of the outage was

0218

1 caused by tree contact with power lines. And the firm
2 found that 80 percent of the outages caused by trees were
3 non-preventable.

4 Also -- and this is in the report on page 41 --
5 from Transmission Distribution World Magazine, the
6 November 2005 edition, the Davy Resource Group looked at
7 this issue, and they said that just pruning trees away
8 from lines will not stop all the outages.

9 Several studies conducted by experienced right
10 of way managers across the Continent have shown that trees
11 going into power lines actually cause less than 14 teen
12 percent of the outages for all utilities contacted.

13 The data further showed that the trees that fall into
14 the lines also from outside of the right of way caused 66
15 to 94 percent of the outages.

16 Q Okay. Did you compare those -- each of those
17 storms, the Utah storm with this storm? Did you -- I
18 mean, how similar circumstances were they?

19 A The November 2005 edition of Transmission
20 Distribution just refers to it generally. It doesn't talk
21 to any particular type of storm.

22 Q Neither -- neither of those are St. Louis
23 specific?

24 A No, no, no.

25 Q So -- so there --

0219

1 A There is no St. Louis specific study I'm aware
2 of that talks about on right of way, off right of way.

3 Q Okay. Did -- did -- did Staff go out and look
4 at -- at the limbs that caused the damage and -- and do a
5 -- take a sampling of what caused the outage in, say,
6 Spanish Lake?

7 A Yes. Now, there wasn't -- I didn't keep some
8 sort of tally sheet, this was on the right of way, this
9 was off the right of way. But we did observe that, you
10 know -- I would say the majority of the tree limbs I saw
11 were quite often, especially following the July storms,
12 were large limbs that came from trees that sometimes you
13 couldn't tell where the limb came from.

14 You know, I assume it blew off a tree some
15 distance away and fell on the lines. Others, it was in
16 the right of way. You could see where a limb had broken
17 off, especially in the ice storm.

18 After that, the areas that we saw a lot of the
19 damage, these were tree limbs that were over the lines.

20 Q So the ice storm would be the majority of limbs
21 that came from trees in the easement?

22 A I can't say I've done an assessment on that.
23 But, typically, the ice -- the ice typically brings the
24 limbs straight down.

25 Q Ice is basically a matter of gravity pulling it

0220

1 down --

2 A Yes.

3 Q -- and it -- and it just drops. It doesn't get
4 ice on it and then jump to -- you know, jump 30 feet, I
5 mean, unless it's going down, right?

6 A Right. But you do have cases where you'll pull
7 a whole tree down and only a small portion of it was over
8 the easement. And so if you trimmed it, maybe it would
9 have helped. Maybe not.

10 Q Did you have -- did you see -- in regard to the
11 ice storm, did you see any example of where an entire tree
12 from outside the easement fell into -- into lines to cause
13 an outage?

14 A No.

15 Q Okay. Did you see any -- well, okay.

16 THE COURT REPORTER: Excuse me. I need to
17 change paper real quick.

18 JUDGE DALE: If everybody could just hold on for
19 a sec.

20 (Break in proceedings.)

21 JUDGE DALE: We are ready to resume.

22 Q (By Commissioner Clayton) You answered this
23 with regard to the ice storm, but I wanted to be clear on
24 the number of neighborhoods that were visited following
25 the July storm by Staff. Do you know -- do you know how

0221

1 many neighborhoods or areas of the city?

2 A Yes. My answer was specific to the ice storm
3 following -- you know, it was, you know, the next couple
4 of days after the storm.

5 Q How about after the July thunderstorm, the
6 hurricane or whatever it was?

7 A I don't remember the neigh -- number of
8 neighborhoods. It was basically --

9 Q Well, how many days were spent in -- in the
10 metropolitan area by Staff to -- to view the damage?

11 A I spent a day there. I am not sure what time
12 other Staff may have spent there.

13 Q Okay.

14 A I know I spent a day there.

15 Q And then did you get a -- a fair representation
16 of each region of the city, for example, Spanish Lake,
17 West County, Farmington city, South County? I guess what
18 parts of the city did you see? Let me ask that.

19 A North City, came through along down through
20 along the 270 loop, basically broke up in a couple of
21 different areas there going up into Spanish Lake, and then
22 took 270 back down to the south into the city into the --
23 I'm trying to remember the name of the community where I
24 turned around.

25 Q Was that before the local public hearings or

0222

1 after the local public hearings?

2 A Before.

3 Q Before. Was it -- was it -- how soon after the
4 storm or the outage?

5 A It was the last day or two that outages were
6 still being restored. I'd have to go look at the date on
7 it. But it was just during the very end of the
8 restoration period.

9 Q Okay.

10 A And it would have been sooner, but we needed --
11 I really needed to be here to respond to customer calls.

12 Q Okay. Do you know if any other Staff visited
13 the metropolitan area?

14 A Check with Lena if -- if she has additional
15 personal knowledge.

16 MS. MANTLE: I was in the area on the 21st to
17 pick up my children from St. Louis, but I did not go
18 specifically to see the storm damage. And for some
19 reason, they were in one of the few pockets in St. Louis
20 which still had electricity, so -- but I did see a lot of
21 branches, trimmed -- trees around all the stoplights were
22 out.

23 So I was in the area, but I did not go
24 specifically for this.

25 Q Okay. And do you know of any other --

1 A No.

2 Q That's it? Okay.

3 MR. BECK: And I also made it through the Potosi
4 area just after the storm. I think it was probably a day
5 or two after most customers were restored. But you could
6 certainly get the flavor of -- of what was happening even
7 after the storm.

8 Q (By Commissioner Clayton) Did -- did -- well,
9 did you all get a flavor of where the limbs -- where the
10 trees had come from, whether they were easement or
11 non-easement trees, whether they were limbs?

12 What did you say, to the sky or right above the
13 limbs? Were they -- were they whole trees that were
14 knocked over? I know there were examples, anecdotal
15 examples of each of these things, but I'm trying to get a
16 sense that the assertion has been made by the company 85
17 percent is caused by off the easement.

18 I mean, how -- did -- has there been any
19 confirmation of that other than those two reports?

20 A Yeah. And you're asking for Missouri specific
21 data to say 80, 85 percent. No, I'm not aware of it.
22 But it doesn't --

23 Q Yeah. Okay. Okay.

24 MS. MANTLE: I will say that I saw a lot of
25 smaller branches around, lying in the streets, in people's

0224

1 yards. They weren't pulled trees, so it was pieces of
2 trees that --

3 Q (By Commissioner Clayton) Had -- did -- did you
4 all inspect any of the poles that were knocked over?

5 A I didn't see any broken poles.

6 Q Didn't see any broken poles?

7 A No. It's one of the reasons at the public
8 hearings I was asking if there's any input on broken
9 poles --

10 Q Okay.

11 A -- Please send us something.

12 Q Okay. How about inspect any of the replace --
13 the other equipment, the transformers or any of that
14 inspected by Staff?

15 A In terms of what was broken? The -- what I saw
16 broken -- you know, I didn't -- I didn't go look at areas
17 that had been broken to see what new facilities had been
18 put in.

19 This was an area -- my objective was to look at
20 what were the primary causes of the damage. And I -- I
21 didn't see broken poles. There were some places where
22 broken circuits were on the ground. I don't -- I didn't
23 see the new circuit they put in.

24 Q Is that just a wire, when you say circuit?

25 A Wire. Yeah.

1 Q You engineers talk in a different language.

2 A Sorry.

3 Q Okay. Did -- did Staff go out and look at any
4 infrastructure or any -- any of the right of way -- rights
5 of way or easements following the local public hearings on
6 -- based on information suggested at the local public
7 hearings?

8 A I had that information from the July outage when
9 I was conducting the storm damage assessment following the
10 ice storms. So yeah. When I talk about those
11 neighborhoods, you know, those were the kind of -- yeah.

12 Q The nine -- well, the three, and then I think
13 you also said you followed -- somebody said they followed
14 up with maybe nine of the witnesses?

15 A Yeah. And that's -- that's where I pulled
16 outage histories and looked at the statistics on how long
17 they were out and what was causing their outages.

18 Q Okay. Okay. On page 41 of the report, it says
19 that there's an over-emphasis on tree trimming in -- in
20 this discussion. And considering we've been talking about
21 tree trimming all day, and that's basically where the guts
22 of the recommendations are coming from, I was wondering if
23 there was another place where an emphasis needs to be on
24 either preventing outages or addressing these concerns?

25 A Yes. If I may. Where -- where you've

1 referenced over-emphasized, Staff has reviewed on the
2 subject, and the testimony of many of the witnesses at the
3 public hearing in this case, the importance of this topic
4 versus other storm restoration issues appears to have been
5 over-emphasized.

6 And the point is here, the current tree trimming
7 program, while it's structured to improve day-to-day
8 reliability, it is not well structured to deal with major
9 storm outages. And, you know, the idea that, well,
10 because Ameren is on a cycle to get back to a four and
11 six-year cycle by December 31st, 2008, a lot of the
12 attention appears in the press pointing at that issue,
13 saying, Well, that's why we're having such a problem here.

14 Q So those cycles -- those cycles are basically to
15 address incidental contact, correct?

16 A Yes.

17 Q All right. But the recommendations came after a
18 storm, and I guess that's where I'm confused. Now, this
19 is three years after the fact --

20 A Right.

21 Q -- that you hear tree trimming and you think
22 it's everything, not just one part of tree trimming.

23 A Uh-huh.

24 Q So -- so why were we making recommendations
25 based on incidental contact and day-to-day reliability

0227

1 when the whole investigation was started to address the
2 storm outage?

3 A Well, obviously, infrastructure inspection, you
4 know, inspection and maintenance, reliability, vegetation
5 management, when we come in and look after a storm at what
6 the utility is doing in these areas, vegetation management
7 was one of those areas that's going to come up.

8 We had noticed their -- their -- they were out
9 of cycle, and their expenditures had not -- you know,
10 there had been some dropoff in their expenditures. We
11 felt inclined to make that recommendation.

12 It is -- it's not a -- it's certainly not a
13 cure-all. You're still going to have a lot of outages
14 even if you're on cycle. But we felt it appropriate in
15 2004.

16 And, frankly, we made the same recommendation in
17 2002 storm report, you know, to Kansas City Power & Light,
18 Aquila and Ameren.

19 Q I think the most telling page, frankly, in this
20 report is on page 44 where you then go and talk about ice
21 storms, and that's where Ameren is, for the St. Louis area
22 was most at risk was addressing an ice storm, and this
23 report came out, what, two weeks before the ice storm?

24 A Yes. Yes.

25 Q If we implement the vegetation management that's

0228

1 been proposed under Item 8, that presumably would
2 significantly reduce ice storm damage for the future?

3 A It is my belief it would -- it would certainly
4 improve the restoration time frame.

5 Q Okay.

6 A I don't want to leave people with the impression
7 that that means we won't have big outages after major
8 thunderstorms and ice storms, you know, which is part --
9 part of why I went back to the Kansas City Power & Light
10 example.

11 You know, they put in a lot of programs, spent a
12 lot of money, cleared a lot of trees after -- after their
13 '83 decision that their tree trimming -- or their
14 tree-related outages were unacceptable.

15 And then they turned around in '96 and had the
16 biggest outage they had ever had. And they turned around
17 in 2002 and had the biggest outage they'd ever had, you
18 know, even after putting these programs in place. But --

19 Q Was -- that '86, was it ice or was it
20 thunderstorm or tornado?

21 A '96 was heavy snow on trees with leaves in
22 October. And you know, I have that report as well. And
23 Staff did do an investigation following that.

24 And the 2002 was an ice storm. And that knocked
25 out about three-quarters of their customers, some of them

1 for as long as nine days.

2 Q Did Staff review Ameren's policy and treatment
3 of customers that would call bringing a tree trimming
4 issue to light? Did you all look at customer call
5 records, follow-up?

6 A Could you ask the question again?

7 Q I'm probably not asking it correctly. Did --
8 did Staff review how Ameren addresses customer inquiries
9 or calls relating to tree trimming?

10 For example, in a number of the local public
11 hearings people said they called a dozen times maybe. I
12 don't know how -- how accurate that is. But if someone
13 does call, did you all make a determination of how Ameren
14 responds to those inquiries?

15 A Not following up on those customers at the
16 public hearing. Some of Lena's shop folks may have.

17 Q Just in general. I'm not necessarily talking
18 about those examples.

19 A Oh, okay.

20 Q But in general, if a customer calls and says, I
21 want you all to trim this tree, did you all veri -- check
22 the response?

23 A We do receive public complaints and comments
24 that come in on that topic. And that is my exposure to
25 how they deal with customers that call wanting a tree

0230

1 removed or wanting a tree trimmed. Generally, in -- you
2 know, and Ameren may want to chime in if they have some
3 different views on it.

4 But if a customer calls in and -- and -- and
5 they're saying, Hey, you know, this is a -- a contact
6 point where the tree is hitting the line, I'm seeing
7 smoke, it's causing momentaries or whatever, the tree
8 trimming -- you know, it would be Rick Shank or Ray
9 Weezenheimer, one of the folks at Ameren who would contact
10 somebody to go out and take a look at it and see if they
11 need to do a hot trim, just, you know, do a little trim to
12 get it to clear the line to end the complaint.

13 If that isn't sufficient, if they want -- you
14 know, if they're really wanting to have the tree removed
15 or something like that, there may be a meeting with the
16 customer to see if they -- if something can be worked out.

17 Q But did you all -- my question is, did you all
18 -- did you all review their response and whether their
19 response was appropriate? Did you all make an assessment
20 of how they respond to customer inquiries on -- on tree
21 trimming, branches hanging out into the line or --

22 A If I could, the consumer complaints, EFIS and
23 public complaints, Lena Mantle worked on that for this
24 report. Let me -- if we could ask her.

25 MS. MANTLE: We did not specifically look at

0231

1 those numbers. They do all come through myself and Dan
2 Beck. So not explicitly, but we do have an idea.

3 Typically, our calls are more, We've had a dozen
4 outages this year. And we contact the customer -- or the
5 company and give them the customer's name and address, and
6 they will get back to us often with some things they're
7 doing to remedy these outages.

8 Q (By Commissioner Clayton) But you're -- you're
9 talking about in regard to specific complaints that are
10 made to the Commission. That's not what I'm talking
11 about. I'm talking about whether there's just a review of
12 -- because -- because I think Ameren has to keep these
13 records. If customer inquiries come in, they have to log
14 them in and keep track of all that information.

15 I'm just asking, did you all review their
16 process in dealing with those inquire?

17 A No. We --

18 Q You did not. Okay.

19 A We did not.

20 Q Okay. That's what I was asking. There is an
21 assertion that a significant portion of Ameren's lines are
22 in back lot routing where they're behind the house as
23 opposed to being on the front.

24 A Yes.

25 Q Was there any comparison about the percentage of

0232

1 line miles that Ameren has back lot routed versus another
2 metropolitan area? Is it a higher percentage than, say,
3 Chicago or --

4 A I called two other utilities in addition to my
5 discussion with Ameren asking what sort of, you know,
6 numbers do you have on this? And they didn't have a ready
7 way to tell me what street lot, what -- what's street
8 routed, what's back routed at any of the utilities.

9 All they had was their impression of a rough
10 percentage. And Ameren indicated 50 percent they thought
11 was a -- a good estimate for their number. Two other
12 utilities in the state estimated some what lower numbers.

13 Q I'm sorry. State -- would you say that again?

14 A Two other utilities I spoke with had -- they
15 thought their numbers were probably lower.

16 Q Had less back -- back lot routing?

17 A Yes.

18 Q Okay. The -- the -- the ANSI or -- is that
19 A-N-S-I, and NESC codes that are referenced in the
20 report --

21 A Uh-huh.

22 Q -- or at least they were referenced in prior
23 reports, those are adopted in one of our rules, I guess,
24 Chapter 18 --

25 A Yes.

0233

1 Q -- .010 --

2 A Yes.

3 Q -- is that correct? Those standards do not
4 relate to the lines hanging over the -- the wires?

5 A The trees? No.

6 Q Yeah. Or the trees. Okay. The -- the proposal
7 in sub -- in your Recommendation 8 --

8 A Yes.

9 Q -- do they come from a particular code --

10 A No.

11 Q -- those recommendations?

12 A No.

13 Q Where do -- where do they come from?

14 A They come from -- well, a couple different
15 sources. If you look at -- you know, we make some
16 references to different articles in the report in terms of
17 vegetation management to improve reliability or storm
18 performance.

19 And from discussions with Florida PSC Staff,
20 actually somewhat related to the neighborhood meeting that
21 we held and in discussions with Ameren were -- were kind
22 of -- what are they -- what do they believe are the
23 primary issues causing.

24 And, actually, there was a pretty good mesh
25 between the articles we read, in talking with Florida PSC

1 Staff and talking with Ameren in terms of the areas where
2 they think there's -- you know, if we had to choose our
3 primary path to try to make a difference, this -- these --
4 these came up as pretty consistent themes.

5 Q Okay. So -- so those -- they are -- they are
6 not coming from another code, basically? It's a
7 compilation of --

8 A I wish they did.

9 Q -- input from -- from other folks? Did you find
10 -- what -- what state in the country has the most severe
11 tree trimming rule or mandate?

12 A Well, some states -- and Mike Taylor is a man
13 that did a lot of the footwork on -- on that.

14 COMMISSIONER CLAYTON: Is Florida the toughest?

15 MR. TAYLOR: I -- I don't know that Florida is
16 actually the toughest. Some of the northeast states
17 implemented some pretty restrictive rules after the
18 black-out.

19 A Largely related to cycle length but didn't
20 necessarily specify required clearance. California, I
21 believe, is the only one, you know, Alberta, Canada,
22 California has indicated -- has implemented actual
23 clearance requirements.

24 Q (By Commissioner Clayton) And forgive me. I'm
25 not sure where this is. Are -- are the specifics of the

1 vegetation management plan included in this report when we
2 -- I know they're generally stated that -- that -- that we
3 need to refocus the tree trimming plan or the vegetation
4 management plan, but do we -- do we specifically set out
5 what we're mandating anywhere in this report or what we
6 would presumably?

7 A No.

8 Q Is that -- are those things listed in the rules,
9 the proposed rules?

10 A The rule is largely -- in the form that it
11 exists in the report, it's largely a reporting rule. In
12 recent changes or additions to the rule as a result of the
13 agenda discussion, there are some standards that are being
14 proposed.

15 Q And what are -- but those standards are based on
16 -- on what, just the -- these discussions?

17 A Well, it doesn't currently have a cycle length
18 requirement. But the proposal does have a specific
19 reference to ANSI A-300, which should not be an objection
20 to -- of any of the electric utilities to comply with.

21 Q That's already adopted by the rule, isn't it,
22 ANSI standards? They're already in, what, 18.010? No?

23 A No. That's referencing the National Electric
24 Safety Code, which I don't believe references ANSI 300.

25 Q I wrote it down wrong.

0236

1 A Okay.

2 Q My notes say that, but I may have made an
3 assumption that was -- well, you know what you do when you
4 make an assumption.

5 A No. It doesn't refer to ANSI 300.

6 Q So the ANSI code has not been adopted?

7 A No.

8 Q Okay. And you're proposing that we would adopt
9 the ANSI code?

10 A Yeah. Although I would clarify, when you look
11 at the ANSI A-300 pruning standards, it doesn't get into
12 things like you'll have a certain number of inches clear.
13 It doesn't get into --

14 Q It does not?

15 A It doesn't get into --

16 Q How does it set it out, then? How does the --
17 how do you evaluate whether the pruning is appropriate?

18 A And that's -- that's a challenge that a lot of
19 states have had. And, actually, very few states currently
20 -- you know, I think from talking with Mike and I can see
21 there hasn't been a good standard to go out and say,
22 You'll accomplish these kind of clearances.

23 I think California is the only state that's come
24 in and said you'll have like 18 inches of clearance.
25 That's not even specified in most other states.

1 Q Well, it sounds like at the very least we could
2 structure a rule that will address vulnerabilities
3 associated with an ice storm, perhaps not a thunderstorm,
4 but with an ice storm, there's certain steps that can be
5 taken. So the Commission and Staff could come up with --
6 with ideas addressing vulnerabilities there, correct?

7 A Yes.

8 Q Okay. Now, with this reporting -- let's say --
9 let's say that the reporting requirements are in place.
10 Let's say they were in place January 1, 2006. You get
11 your first report March 1st, something like that.

12 A Uh-huh.

13 Q With the information that you would have
14 received, is there any action that could have been taken
15 on the part of Staff to address the issues that came up in
16 both -- or in all three, April, July, and November on the
17 outages that occurred?

18 What -- what would the -- your reports do that
19 would help either prevent, reduce or address the outages
20 that occurred in 2006? Tell me how -- how that reporting
21 helps.

22 A Without the policy decision in place that
23 greater site clearances and overhangs are appropriate to
24 improve storm restoration performance, the outage in 2006
25 would not have done much to change the outcome.

0238

1 Q Okay.

2 A Really, this is an issue of there was a policy
3 in place of incidental tree contact, you know -- you know,
4 removing or reducing the likelihood of that for day-to-day
5 reliability was the purpose of tree trimming.

6 If we were going to take on a different policy
7 of side clearances, overhang cuts --

8 Q I'm just talking about the rules as drafted in
9 this investigation, in this report.

10 A Right.

11 Q The rules that are in here, the reporting that's
12 part of this.

13 A Yes.

14 Q If -- if they took effect and you received your
15 first report February 1st or March 1st --

16 A Uh-huh.

17 Q -- what information would Staff receive from
18 those reports that would help address the outages that
19 would -- that occurred on three different occasions in
20 2006?

21 A Not knowing what would have been in those
22 reports, I -- I can't say today.

23 Q Well, what information would -- would you expect
24 to receive that will help Staff make decisions to help the
25 Commission formulate policy?

0239

1 A Okay.

2 Q What data do you want to get from these reports
3 that's going to address problems in the future? That's
4 the whole point of reporting.

5 A Yes. Okay.

6 Q And if there's no standard attached to that
7 reporting, then they're not in violation of any rule.
8 They're just telling you what they're doing, what their
9 plan is.

10 A Uh-huh.

11 Q So -- so even if you get the information, you
12 can't use it to make a finding of a violation of a
13 Commission rule or order because there is no other rule or
14 order that -- that -- that they need to comply with,
15 correct?

16 A I would say the reporting would certainly be
17 helpful in terms of knowing -- you know, seeing areas
18 where they dropped off budget amounts dedicated to this
19 effort, where they are in terms of their cycle on the
20 different portions of their system, how they're dealing
21 with transmission and distribution.

22 And there's a lot of other things in the rule.
23 But those are some of the primary items you would be
24 looking for. But now if you saw somebody who was clearly
25 out of cycle, you know, they dropped off their

1 expenditures, there was some indications that you had a
2 real -- you had a utility that was not doing anything to
3 pursue improving or maintaining their reliability, I think
4 that would put us in a position to conduct an
5 investigation, whereas, without that information, it
6 wouldn't be as -- as obvious that something needed to be
7 looked at.

8 And, really, I would note that these rules -- I
9 think they all link together, quite honestly. If you're
10 going to -- you know, the vegetation management's a piece
11 of it, but you also need the infrastructure.

12 And, really, in the end, it all ties into the
13 reliability. I mean, most customers, if their tree was
14 trimmed three or four years, don't really care. They
15 don't really care if their utility pole was looked at ten
16 or 30 years ago.

17 What they care about is the frequency of their
18 outages and how long they were out. And so all of that
19 feeds in, then, to the reliability.

20 Q So -- so Staff would receive this data, would
21 make an assessment whether it's acceptable and then come
22 to the Commission for action or no action?

23 A Look for trends. If somebody looked like they
24 were -- you know, it didn't look they were doing something
25 to provide safe and adequate service, then we'd need to

0241

1 come to the Commission or conduct an informal
2 investigation and potentially file something with the
3 Commission.

4 Q Should there be standards of reliability built
5 into this, that if they -- that if they don't meet certain
6 metrics that -- that they would be in violation of a rule?
7 Or -- or is it just subjective on the part of Staff to
8 receive the data and then make a determine --
9 determination after the fact whether or not action is
10 necessary?

11 A I believe adding standards to the -- especially
12 the reliability rule is appropriate.

13 Q And that would be for the SAIFI, CAIFI, SAIDI
14 and -- CAIDI, S-A-I-F-I, C-A-I-F-I. Are you aware of any
15 states that have standards like that?

16 A Yes.

17 Q Okay. What -- what would be an example of a
18 state that would have that reliability standards?

19 A Pennsylvania.

20 Q Did -- did that come after that Pennsylvania
21 storm that you mentioned earlier today?

22 A Actually, they had rules in effect prior to
23 their Pennsylvania storm. They then made some additional
24 changes to their rule or were working on some following
25 that storm.

1 Q Did -- did -- do you -- did you review that case
2 to determine whether there were violations of the rule,
3 and did the Commission take any action in Pennsylvania?
4 And if you don't know -- this is kind of going out on a
5 limb. No pun intended.

6 A I'd read a number of different press releases
7 and case dockets on their web site regarding this. I
8 can't recall if they filed a complaint or not.

9 Q Okay. Okay. That Pennsylvania storm was
10 July 19 of '06. Is that -- that's the one I think I was
11 referring to.

12 A Yes.

13 Q Okay. Day-to-day reliability, does Staff
14 believe that Ameren is providing reliable service on a
15 day-to-day basis, not storm-related issues, but
16 day-to-day? Is Staff satisfied with its level of service?

17 A If I may, there's two parts to answer that. If
18 you just want a yes or no, then I can attempt to do that,
19 but it would be better off if I give a full explanation.

20 Q Go ahead. Go ahead. You attended those local
21 public hearings, as I did.

22 A Yes, I did.

23 Q And we heard a lot about day-to-day reliability.

24 A Yes, we did. And that's why I followed up with
25 those individual customers on their outage histories to

0243

1 find out, gee, it sounds like they've got some reliability
2 issues.

3 Q So there was follow up done and you got outage
4 reports from the company?

5 A Usually, that's in the consumer complaint
6 section of the report. I have some graphs and reports of
7 what was causing their outage, how many times they've been
8 out and how many minutes were associated with each of the
9 different reasons they were out of service.

10 In terms of day-to-day reliability for the
11 average -- and, you know, an average doesn't -- unless you
12 know the standard deviation from that average, it doesn't
13 mean much.

14 Looking at their average system duration and
15 frequency outage information, it's -- it's right in the
16 pack with what you see from other regions, other states.
17 So, you know, with being, you know, at the average, a
18 little better than the average is okay, I would say yes,
19 they're adequate.

20 I would say, however, associated with that,
21 there are groups of customers in certain portions --
22 certain districts that are certainly not receiving that
23 average service. They're receiving reliability that's
24 quite a bit less than that.

25 Q So -- so you did find examples where there were

1 problems on day-to-day reliability?

2 A There were some customers that certainly are out

3 more often and longer than the average by quite a bit.

4 Q Well, how do we address situations like that? I
5 mean, you could have someone who maybe loses their power
6 20 times a year for, you know, more than four hour. But
7 if you throw that in with the entire group of customers,
8 the average -- the statistics will not show a problem.

9 A Right.

10 Q But for that person, there's a problem.

11 A Yeah.

12 Q So in -- in the instances that you reviewed on
13 the outage reports, did you see pockets of problems?

14 A There wasn't an effort to go out and do this on
15 a district by district basis. This was an effort to
16 individual customers. And, you know, there's some
17 likelihood that they represent some small regions in their
18 neighborhoods where there are some problems.

19 Q The -- the instances that --that you found that
20 were not satisfactory, are you aware of whether any action
21 has been taken to address those problems? I mean, have
22 they been communicated to the company to -- to highlight
23 where a potential problem is?

24 A Yes.

25 Q Okay.

1 A I don't -- I don't know if there's been any
2 follow-up action on that.

3 Q Okay. There were a number of people who
4 testified at the local public hearing talking about
5 general day-to-day reliability issues. But we don't know
6 whether those day-to-day reliability problems still exist
7 or not?

8 A We don't.

9 Q How do we -- should we do anything? Shouldn't
10 we take some action to address pockets of reliability
11 problem?

12 A Yes. And I think a good general way to do it is
13 the rule-making we talked about. There's a worst
14 performing circuits requirement, and that's one of the
15 ways to identify those areas where the reliability is, you
16 know, particularly bad.

17 Q Do -- do those statistics -- would they -- are
18 they designed in a way that would find particular problems
19 that would -- that would exist in the city?

20 A Yes. I -- I believe going to the circuit level,
21 individual wire level is the way to do that, to track down
22 the ones where you have -- and, frankly, I don't think
23 that represents a significant change in the current
24 reliability review infrastructure that currently exists
25 with most of our electric utilities.

1 Certainly not with Ameren. In terms of their
2 current district reliability reviews, this information
3 should be readily available.

4 Q Did Staff find any problems worse than others
5 depending on where someone lived? Did you find problems
6 worse in North County, West County, Farmington, Potosi,
7 the City, South County? Or were they -- all the problems
8 that you saw consistent across the board by region?

9 A I would say we have some past historical
10 information that the Potosi area has been one of the areas
11 with lower reliability overall.

12 Q Did -- did Staff contemplate any potential
13 legislation to go address that?

14 A That's that legislative question we don't have
15 an answer to today --

16 Q Okay.

17 A -- in terms of the easements and right to go in
18 and clear an area.

19 Q Did -- did Staff meet with any municipal
20 officials or -- or -- or take any steps to identify
21 barriers to tree trimming or other maintenance along the
22 lines?

23 A I spoke with a municipal -- oh, what is -- what
24 was the group? It was a municipal league representative,
25 I want to say, late last week just briefly. It was a

1 represent -- represented a group of municipals in the St.
2 Louis area.

3 And they were talking about pulling together a
4 meeting to talk about this issue. And I'd asked that they
5 contact me once they had decided when they wanted to meet.
6 And they were going to call Ameren next to see if they
7 were available to meet as well.

8 But I haven't heard if anything's been scheduled
9 there or not. It was just last week we'd been talking.

10 Q Okay. So there wasn't much -- you all haven't
11 learned much specifically about barriers to tree trimming?

12 A No, not right now.

13 Q Do you think there's a role for the Commission
14 to participate in those inter-governmental problems that
15 may exist with regard to certain tree trimming and other
16 maintenance issues?

17 A Certainly as a group, we're talking about
18 legislation and issues where the electric utilities and
19 the municipals it serves are meeting, and I think it would
20 be beneficial for Staff to participate.

21 Q In the investigation, did Staff find any
22 violations of any Commission orders or rules?

23 A No.

24 Q The time that it took you to answer that --

25 A Well, I was trying to think.

0248

1 Q That suggests that you were thinking awfully
2 hard.

3 A Yeah. Well, it's been a long day.

4 QUESTIONS ASKED OF RON ZDELLAR

5 BY COMMISSIONER CLAYTON:

6 Q Just a couple of questions to Ameren. You all
7 have been sitting there patiently and enduring a full day
8 of questions, and I'm getting ready to unleash
9 Commissioner Appling who has a lot of pent-up energy
10 waiting to go after waiting all day to ask questions.

11 I want to ask Ameren if -- if we could take -- I
12 say we -- all of us collectively could take any action --
13 aside from changing the course of Mother Nature and
14 stopping the weather from occurring, are there any other
15 -- any other things that could be done to address the
16 duration of the outages?

17 We're always going to have some outages.
18 There's no question about that. But deal with the
19 duration, a five, six, seven, eight, nine, ten-day
20 duration of the outages, that if there's anything that
21 could be done legislatively, by rule, financially, what
22 would it be?

23 A There are probably a number of things that could
24 be done to address that issue. And, in fact, as directed
25 by this Commission, we will be providing a -- a summary of

1 areas that we think offer some potential to not only
2 reduce the extent of the length of the outage, but also
3 the number of outages.

4 As I mentioned earlier in my opening remarks,
5 there's a -- there's a lot of -- we talked about some of
6 that today, some public issues around private -- private
7 property rights and other kinds of things. And -- and I
8 don't want to get into the -- the list of things that are
9 out there as potential because there are a lot of players
10 who will have to get engaged, I think, around those
11 issues.

12 A good deal of the restoration time depends on
13 the extent of damage. And I think as was presented
14 throughout the day, we think we've had extraordinary
15 storms and in comes another one that's worse.

16 Certainly, this ice storm in terms of the
17 resources we had to pour into that effort to get it done
18 in eight days was so far off the chart from anything we've
19 seen before that it's -- it's hard to -- to compare that
20 to some other hypothetical event that would create
21 outages.

22 But I think as we look at the system, I think
23 that there are a number of things we can do to -- the term
24 has been used "harden" particularly on our subtransmission
25 system, our feeder backbones that are on right of ways,

0250

1 both from the standpoint of vegetation removal and whether
2 you're talking about whole trees or major pieces of
3 trees.

4 As I mentioned, again, earlier that the little
5 branches that grow between trim cycles are not tearing
6 down poles and lines. It's the other stuff. We all
7 recognize that now.

8 You know, up until three years ago, it was not a
9 big issue. But it is a big issue now, and we recognize
10 it. We have to change. The weather has changed. You're
11 absolutely right. We can't control it.

12 So we've got to move forward, and we are looking
13 forward to a rather robust dialogue and a lot of issues
14 that we're going to throw out, and we hope others throw
15 out.

16 I heard -- I heard some comments today from some
17 of the Commissioners here that I wrote down that I hadn't
18 thought of that could help us in terms of restoration and
19 some of the things we do with our customers, providing
20 them information, ease of information to customers.

21 We learn from every one of these things, and I
22 think our -- the Staff of the Commission has represented
23 the Commission well at all the formal and informal reviews
24 of our process.

25 We look forward to working with Staff in terms

0251

1 of putting rules together that -- that make sense for us
2 so that we get the bang for the buck, that we spend the
3 money on the right things to deliver service to our
4 customers as best we can.

5 And we know right now our credibility is at
6 stake. Clearly, the -- the burden is on us to come
7 forward with some ideas and generate some discussion, and
8 we're prepared to do that.

9 Q Considering we've had five storms of the century
10 in the -- or four storms of the century in the last couple
11 of years, should the infrastructure be built to withstand
12 the storm of the century?

13 A Well, I think you're on target. I think one of
14 the things that will come in with our recommendations --
15 and I don't want to get too carried away -- but will be
16 new construction. We will build to a higher standard.

17 QUESTIONS ASKED OF WARREN WOOD

18 BY COMMISSIONER CLAYTON:

19 Q Mr. Wood, last question, is -- would there
20 be any merit in the Commission reaching out to other
21 experts in finding possible alternatives or ideas or
22 solutions? For example, you referenced a report by
23 someone that was done for KCP&L. Would there be merit for
24 the Commission to engage in -- in some sort of search for
25 additional help?

1 A Yes. I don't -- I don't see any harm in doing
2 that at all. I think there are -- you know, there are
3 people around the country that do this full-time, conduct
4 these sort of investigations and --

5 Q How much would something like that cost,
6 Mr. Wood?

7 A I've seen all kinds of different numbers. As to
8 what that would cost, you know, relatively quick thing
9 I've seen running \$20,000, and I've seen people spend a
10 whole lot more than that on a review like this.

11 COMMISSIONER CLAYTON: With that, I think I'm
12 going to stop. Thank you all very much for your patience.

13 COMMISSIONER APPLING: Mr. Wood, and, Mr.
14 Zdellar, it's been a long day, hasn't it? I don't have
15 any questions. But I do have five minutes of commendation
16 if you would allow me to just -- just say that, if you
17 would.

18 Mr. Zdellar, I think that Ameren is a good
19 company, and I'm only saying that from Lin Appling. I'm
20 not speaking for the Staff, nor am I speaking for the --
21 my colleagues here.

22 However, you are a big company. And with a big
23 company comes big expectations and big responsibility.
24 But we have come to a juncture here, meaning the PSC and
25 Ameren and all the other electrical companies -- companies

1 in this -- in this state.

2 And the word that comes to mind in your case
3 here and in the case of the PSC is to "fix it." And I
4 think I've said that to some higher level people in
5 Ameren. And I think you know that you need to go back and
6 tell your CEO and the rest of the people that the
7 expectation out of you is that you're going to go and we
8 together is going to fix this situation. We need to
9 establish the standards and the rules that I've heard you
10 talk about.

11 It's also tough in this business to hear your
12 colleagues ask all the questions that you're the last guy
13 to speak. But it's tough to also hear somebody in the
14 audience go and give your final speech, so he just gave it
15 a few minutes ago.

16 And I'm reminded when I see Joe Butler in the
17 back, he -- we used to sit in the Staff meeting with Mel
18 Carnahan, and he would say, "I know what the problem is,
19 and I've got my best people working on it."

20 So may I offer you that advice today is that you
21 go back to St. Louis and put your best people on this, and
22 let's come to a conclusion and fix this problem. There's
23 a lot of people out there ex -- that's relying on Ameren
24 as well as this PSC to put our best foot forward, and we
25 owe them that.

1 Now, we could talk about the ice storm and we
2 could talk about it's the worst one in a hundred years.
3 The average Joe that walks the streets down in St. Louis
4 don't care whether it was a hundred years or 200 years
5 ago. What they care about is their lights are not on.
6 And we have to remember that.

7 I've heard a lot of questions here today and
8 some good questions that you'll be able to pick through
9 and find some nuggets of gold. But the bottom line is we
10 need to fix this problem, gentlemen, and -- and prepare
11 ourselves the best we can for the next storm because
12 they're going to come.

13 Or if a storm doesn't come, there's going to be
14 some other outage that's going to cause another outage to
15 jump through the loop to get it done.

16 With that said, Happy New Year's to you, and
17 let's get to it. Thank you.

18 JUDGE DALE: Some additional?

19 CHAIRMAN DAVIS: Yes. I just have a few quick
20 last minute questions.

21 QUESTIONS ASKED OF RON ZDELLAR

22 BY CHAIRMAN DAVIS:

23 Q Mr. Zdellar, this Commission did receive a
24 report that in laying new underground lines that Ameren
25 has discontinued the practice of "end looping within

1 subdivisions." Is that true?

2 A Not to my knowledge. Now, there may be some
3 situations where in a new construction the way the
4 subdivisions are laid out you don't complete a loop in --
5 in an early development of a subdivision. But, typically,
6 we put our loop feeds into subdivisions early in the
7 construction process.

8 Q Okay. So there -- there is no known reason that
9 the company would be -- would be doing that? If it is,
10 it's -- I mean, can you -- can you think of an engineering
11 scenario where that would not be feasible, where end
12 looping would not be feasible?

13 A There could -- there could be some very small
14 maybe a two-lot subdivision or something with a cable off
15 the terminal pole. You know, I don't know. I guess
16 there's a -- there's some possibilities that you could --
17 you could do something.

18 A single lateral to a customer, for instance, is
19 not typically a loop. So some very small installations
20 that might make some sense.

21 Q Okay. Okay. And to -- as a -- as a corollary
22 of the question that I asked you, you know, back near the
23 beginning of the hearing, I believe I asked you to -- to
24 get me the number of linemen, number of miles ten years
25 ago versus now. Could you also expand that and also

1 provide the number of estimators? I believe that's a job
2 classification.

3 A Yes, it is.

4 Q Okay. And just whatever other -- whatever other
5 job classifications that are out there that I may or may
6 not be aware of that are related to distribution systems
7 and tree trimming, if you could just give us -- I think
8 I'd like the -- the -- the big round number, but also a
9 district by district breakdown.

10 Now, I realize that those districts have changed
11 somewhat in the last ten years, that there has been some
12 consolidation. So to the best of your ability, you know,
13 if you can give us an apples to apples comparison, I would
14 certainly appreciate that.

15 A This is ten years ago versus today?

16 Q Yes.

17 A Will do.

18 JUDGE DALE: Are those all your questions?

19 CHAIRMAN DAVIS: I think those are all my
20 questions, Judge. I just want to thank everyone for their
21 patience and for -- for lasting today, and hopefully
22 everybody can get home in time for dinner.

23 QUESTIONS ASKED OF RON ZDELLAR

24 BY JUDGE DALE:

25 Q I have one question from Commissioner Murray who

1 wants to know whether or not Ameren has a process in place
2 to deal with the customers who call and ask to have trees
3 trimmed?

4 A Yes, there is a process in place. I think it
5 was discussed earlier, but it typically goes through our
6 vegetation management organization to review whatever that
7 customer issue is. Typically, there's a visit to the
8 property owner and discussion with the property owner
9 around whatever their issue is.

10 And it may be -- it may be a tree that's in
11 their back yard, for instance, that's not near any of our
12 primary lines which is clearly a customer responsibility.
13 Sometimes the customers don't understand that.

14 So it may be consultation. So it may be, yeah,
15 there's a problem here, there's a bad tree, and we can
16 send somebody out. As was described by Mr. Wyrick, we
17 issue a job ticket, and we send a crew out, and they take
18 care of it.

19 Q Do you have a systematic prioritization of those
20 requests?

21 A Not that I know of. There -- there may be one.
22 I don't know that we have a huge back log of them. We
23 might right now with all the issues out there, but I can
24 -- I can find out on that issue.

25 QUESTIONS ASKED OF RON ZDELLAR

1 BY CHAIRMAN DAVIS:

2 Q Mr. Zdellar, one -- one last question I just
3 thought of. So there is -- is there any truth to the
4 assertion that when -- when linemen started arriving in
5 St. Louis, you know, for the storm that they were
6 dispatched to work on work orders that were existing prior
7 to this storm?

8 A When they arrived?

9 Q Uh-huh. That there were -- that there were work
10 orders that were there that were service calls that hadn't
11 -- had not been --

12 A Not to my knowledge.

13 Q Not to the best of your knowledge. Okay.

14 A Not to the best of my knowledge. I think we had
15 some other work for those boys.

16 Q Okay. And if you find out differently, you'll
17 let us know, right?

18 A I'm not sure how I would find out differently.
19 But if I hear differently, I will definitely let you know.

20 Q Okay.

21 QUESTIONS ASKED OF RON ZDELLAR

22 BY COMMISSIONER GAW:

23 Q Just expand that to not just when they first
24 arrive, but before that, before all of the damage was
25 restored. Or all the power was restored. Excuse me. If

1 you could expand on --

2 MR. BYRNE: In other words, working on non-storm
3 related work orders --

4 COMMISSIONER GAW: Yes.

5 MR. BYRNE: -- before all the storm?

6 COMMISSIONER GAW: Yes.

7 A Let me -- let me just -- this is an issue of
8 geography as much as anything else here. We may have had
9 some line crews still working, for instance, in -- in --
10 in Potosi and down in those areas and -- and we had
11 finished restoration in North St. Louis County.

12 And we had a broken switch from the July storm
13 that we had those guys fix. We didn't send them to Potosi
14 for driving three hours. So, you know, your question --
15 it can't be answered in terms of, yeah, we sent everybody
16 to that last house at the -- you know, we had 2,000
17 linemen at the last house putting that wire back up in the
18 air.

19 You know, that's not how this thing works. You
20 know, if there's -- if there's some issue that -- that you
21 all feel somebody's telling you that we're polishing
22 insulators someplace in our business and we've still got
23 huge numbers of customers out somewhere, I'd like to know
24 that because that's not happening.

25 QUESTIONS ASKED OF RON ZDELLAR

1 BY CHAIRMAN DAVIS:

2 Q Mr. -- Mr. Zdellar, to briefly respond to your
3 question, that was -- that was not my concern. You know,
4 my concern is that, you know, was there -- was there a
5 back log of just routine work that had not been performed
6 prior to the storm? That's the question that I was trying
7 to get at.

8 A The answer to that, then, there's always a back
9 log of routine work. We did not put any people coming
10 into our storm restoration on that work while we had
11 outages going on, if that -- if that answers the question.

12 Q Okay. So let me -- let me -- let me phrase the
13 question in another way, then. What was the back log of
14 work prior to the storm?

15 A Well, that, I can't -- I can't answer. But
16 there's always a -- a job jar, if you will, of work to be
17 done. And as I mentioned, it could be a broken switch
18 that needs to be changed out. It's not affecting any
19 customers in terms of their outage, but it's something
20 that needs to be fixed. Maybe it's -- it was a car hit a
21 pole two weeks ago and the switched hasn't been replaced
22 yet.

23 It could be something else that -- that is out
24 there as part of a main -- maintenance back log. There's
25 always a maintenance bag log. Street lights, for

1 instance, pile up big-time during storms, and we have to
2 work our first responders a lot of overtime for perhaps a
3 week after we get caught up on those street lights.

4 Q Okay. Well, we just have to ask, Mr. Zdellar.

5 A That's okay. I like you to ask. This is why
6 we're here. And we do appreciate being here and
7 appreciate your comments.

8 And as I mentioned earlier, I have a lot to take
9 back with me just from -- from this session, and I think
10 there's a -- a great opportunity going forward.

11 I think the only caution I have, and Mr. Wood
12 has talked about it, is we're not going to fix this thing
13 overnight. It didn't get this way -- and we've got a
14 basic utility system out there that's probably 70 or 80
15 years old in terms of its design, location, and the
16 dog-gone weather is on top of us right now.

17 So we need to do as best as we can as fast as we
18 can. But it's a real challenge.

19 CHAIRMAN DAVIS: Mr. Zdellar, once again, thank
20 you for your -- for your patience today. We appreciate
21 it.

22 MR. ZDELLAR: Thank you.

23 JUDGE DALE: Is there any or -- any other item
24 from the Bench? Are there any other issues that we need
25 to address? Then we are off the record and adjourned.

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1 Thank you all.

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I N D E X

1	WARREN WOOD	PAGE
2	Questions asked by Chairman Davis	21
3	Questions asked by Commissioner Murray	23
4	Questions asked by Commissioner Gaw	46
5	Further Questions asked by Commissioner Gaw	52
6	Further Questions asked by Commissioner Gaw	94
7	Further Questions asked by Commissioner Gaw	139
8	Further Questions asked by Commissioner Gaw	155
9	Further Questions asked by Commissioner Gaw	161
10	Further Questions asked by Commissioner Gaw	165
11	Further Questions asked by Commissioner Gaw	172
12	Further Questions asked by Commissioner Gaw	174
13	Further Questions asked by Commissioner Gaw	177
14	Further Questions asked by Commissioner Gaw	181
15	Further Questions asked by Commissioner Gaw	182
16	Questions Asked by Commissioner Clayton	251
17		
18	RON ZDELLAR	PAGE
19	Questions asked by Chairman Davis	28
20	Questions asked by Commissioner Murray	40
21	Questions asked by Commissioner Gaw	50
22	Further Questions asked by Commissioner Gaw	92
23	Further Questions asked by Commissioner Gaw	147
24	Further Questions asked by Commissioner Gaw	156
25		

I N D E X (CONTINUED)

1	RON ZDELLAR (CONTINUED)	PAGE
2	Further Questions asked by Commissioner Gaw	163
3	Further Questions asked by Commissioner Gaw	171
4	Further Questions asked by Commissioner Gaw	173
5	Further Questions asked by Commissioner Gaw	175
6	Further Questions asked by Commissioner Gaw	178
7	Questions asked by Commissioner Clayton	248
8	Questions asked by Chairman Davis	254
9	Questions asked by Judge Dale	256
10	Further Questions asked by Chairman Davis	257
11	Further Questions asked by Commissioner Gaw	258
12	Further Questions asked by Chairman Davis	259
13		
14	DEBBIE BERSEN	PAGE
15	Questions asked by Commissioner Gaw	76
16	Further Questions asked by Commissioner Gaw	89
17		
18	LEO BUB	PAGE
19	Questions asked by Commissioner Gaw	83
20		
21	RICKY WYRICK	PAGE
22	Questions asked by Commissioner Gaw	99
23	Questions asked by Commissioner Clayton	120
24	Further Questions asked by Commissioner Gaw	132
25		

I N D E X (CONTINUED)

1	RICKY WYRICK (CONTINUED)	PAGE
2	Questions asked by Commissioner Appling	134
3	Questions asked by Mr. Mills	136
4		
5	MIKE TAYLOR	PAGE
6	Questions asked by Commissioner Gaw	149
7	Further Questions asked by Commissioner Gaw	181
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		