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BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS
EVIDENTIARY HEARING

TIMOTHY BOYLE,)
)
Complainant,)
)
-vs-) Case No.
) EC-2026-0095
UNION ELECTRIC COMPANY)
d/b/a AMEREN MISSOURI,)
)
Respondent.)

TUESDAY, MAY 12, 2026

9:00 a.m.

Governor Office Building
200 Madison Street, Room 310
Jefferson City, MO 65101

VOLUME 1

KEN SEYER, Presiding
SENIOR REGULATORY LAW JUDGE

KAYLA HAHN, Chair,
MAIDA J. COLEMAN,
GLEN KOLKMEYER,
COMMISSIONERS

REPORTED BY:

Jill A. Bleskey, RPR (via WebEx)
Illinois CSR #084-004430
Missouri CCR #146

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A P P E A R A N C E S

Appearing for Complainant:

Mr. Thomas Boyle
Ms. Mimi Boyle

Appearing for Missouri Public Service Commission Staff:

Ms. Carolyn Kerr
Ms. Tracy Johnson
200 Madison Street
Jefferson City, Missouri 65101

Appearing for Union Electric Company:

Ms. Carla Fields Johnson
300 East 39th Street
Kansas City, Missouri 64111

Ms. Jennifer Hernandez
1901 Chouteau Avenue
St. Louis, Missouri 63103

Appearing for Office of the Public Counsel:

Ms. Anna Martin
200 Madison Street, Suite 650
Jefferson City, Missouri 65102

1 IT IS HEREBY STIPULATED AND AGREED by and
2 between counsel for all parties that this hearing may
3 be taken in shorthand by Jill A. Bleskey, Registered
4 Professional Reporter, a Certified Shorthand
5 Reporter, and Certified Court Reporter, and
6 afterwards transcribed into typewriting.

7 * * * * *

8 (Starting time of Hearing: 9:05 a.m.)

9 * * * * *

10 JUDGE SEYER: Let's bring this proceeding
11 to order and go on the record. Good morning. Today
12 is May 12th, 2026. The time is 9:05 a.m.

13 The Commission has set this time for an
14 evidentiary hearing in the case captioned Timothy
15 Boyle, Complainant, versus Union Electric Company
16 doing business as Ameren Missouri, Respondent. It's
17 Commission Case Number EC-2026-0095.

18 My name is Ken Seyer and I'm the
19 regulatory law judge presiding over this hearing.
20 This hearing is taking place in the Public Service
21 Commission hearing room, Room 310 of the Governor's
22 Office Building in Jefferson City. With me today is
23 Chair Kayla Hahn, Commissioner Maida Coleman, and
24 online Commissioner Glen Kolkmeyer.

25 Before we get too far into this, I wanted

1 to go over a couple of things, Mr. and Mrs. Boyle.
2 You're not represented by an attorney today, correct?
3 All right. You might want to turn that microphone
4 on. Thank you. That is of course acceptable and not
5 uncommon in cases such as yours. And don't be overly
6 concerned today about following our hearing
7 procedures precisely. During the course of the
8 hearing when I can I will assist you, you know, maybe
9 ask a question that you're trying to ask to a certain
10 extent.

11 In this hearing today, I believe you know,
12 each party will be given the opportunity to make an
13 opening statement. You do not have to give an
14 opening statement. But an opening statement is
15 generally an opportunity for a party in the case to
16 give the commissioners and me a preview or summary of
17 what you expect the hearing evidence to be and why
18 that evidence will support your complaint. Please
19 keep in mind however that you are not sworn in before
20 you give your opening statement. You're not under
21 oath and subject to cross-examination by the other
22 parties. In other words, an opening statement by
23 itself cannot substitute for testimony under oath and
24 other admitted evidence. The commissioners cannot
25 base their decision purely on opening statements.

1 You must still present evidence following opening
2 statements for the Commissioners' consideration. Do
3 you follow me on that?

4 MR. BOYLE: Yes.

5 JUDGE SEYER: Mr. Boyle, as the
6 complainant alleging a violation by Ameren Missouri
7 of a tariff, statute, rule, order, or decision of the
8 Commission you have the burden of proof. Therefore
9 you will present your evidence first. You may call
10 witnesses to testify, including yourself, offer
11 documents or other items to be admitted into
12 evidence.

13 When those -- when you offer those
14 documents or other items counsel for the other
15 parties may object to the admission of your documents
16 or even your witness's testimony. If that occurs you
17 will be given the opportunity to respond to the
18 objections. I will then make a ruling on whether the
19 witness' testimony or document will be admitted into
20 evidence. After you are through questioning your
21 witnesses or testifying yourself the other parties
22 will be allowed to cross-examine you and your
23 witnesses. In addition to questioning by the other
24 parties, the commissioners and I are allowed to ask
25 questions of all witnesses.

1 Once you have presented your evidence the
2 other parties will be given the opportunity to
3 present their evidence. They may all -- well, they
4 will call witnesses to testify, offer into evidence
5 pre-filed witness testimony -- well, there is no
6 pre-filed witness testimony today, I'm sorry, and
7 they'll make their witnesses available for
8 cross-examination, in other words you get to question
9 their witnesses.

10 I understand that you may not agree with
11 what a witness says while testifying but please do
12 not interrupt them to try to correct or counter their
13 testimony. You may interrupt their testimony to make
14 a legal objection but you may not -- may not
15 interrupt simply because you disagree with what the
16 witness is saying. Instead, I will allow you to
17 cross-examine the witness and to present rebuttal or
18 counter evidence after the other parties have
19 presented their evidence. So remember,
20 cross-examination is an opportunity to ask questions
21 of another party's witness, not to make statements.

22 Do you have any questions on all that? Go
23 ahead. If you don't mind speaking into the
24 microphone.

25 MS. BOYLE: I was just wondering. So when

1 you were saying if we object to something you said we
2 have to have legal evidence of that?

3 JUDGE SEYER: What I'm saying was a legal
4 objection. In other words, if there's a witness on
5 the stand who says the sky is blue and you jump in
6 there and say, no, it's not, the sky is orange that's
7 not really a legal objection. But if you're saying
8 the witness is saying the sky is blue and you're
9 saying objection, the -- all right. Maybe this is a
10 bad example. But you're saying, your Honor, the
11 witness has testified earlier that they were
12 colorblind, you know, maybe that's a reason that that
13 testimony should be stricken.

14 MR. BOYLE: My question is, Ameren's
15 obviously a large company. If we have questions as
16 to what happened who do we exactly call to question?

17 JUDGE SEYER: I would assume -- I mean,
18 there are three witnesses scheduled to testify today.

19 MR. BOYLE: Okay.

20 JUDGE SEYER: And hopefully they will be
21 able to answer your questions.

22 MR. BOYLE: Yep. Thank you.

23 JUDGE SEYER: One other thing, Mr. and
24 Mrs. Boyle. Before we went on the record, we talked
25 a little bit about the issue of confidentiality. And

1 the Commission strives to keep a complainant's -- and
2 I may refer to you from time-to-time today as the
3 complainants. But to keep your personal identifiable
4 information confidential. Are you -- and I would
5 anticipate today that there may -- that possibly for
6 example your home address may come up. If there is
7 -- is there any part of that confidential information
8 that you would like to waive today, waive your
9 confidentiality?

10 MS. BOYLE: And what does waive mean
11 again?

12 JUDGE SEYER: Well, that you don't -- that
13 you don't want to -- during the course of the hearing
14 that you're okay with not keeping that information
15 confidential.

16 MR. BOYLE: We'd rather keep it
17 confidential.

18 MS. BOYLE: Yeah. Our address
19 confidential, uh-huh.

20 JUDGE SEYER: Okay.

21 MS. BOYLE: Our name too or?

22 JUDGE SEYER: I don't think we're going to
23 be able to keep that confidential.

24 MS. BOYLE: Oh.

25 JUDGE SEYER: All right. If there does

1 come a time where there's a witness that needs to
2 testify to information that is confidential there is
3 a chance that we may go what is called In camera.
4 And that just means that we will -- we will not
5 record that portion of the hearing and that whole
6 section of the hearing will remain confidential.

7 One other thing that I do want to point
8 out, Mr. and Mrs. Boyle, is that the Commission has
9 authority -- if they make a finding that the utility
10 has violated a statute or a rule or a tariff the
11 Commission has an authority to impose a fine on the
12 utility. The Commission does not have the authority
13 to award damages, to make a finding of, let's say,
14 negligence and award you damages. That's within the
15 purview of the circuit courts. And so I just want
16 your expectations to be -- just know that the outcome
17 of this entire hearing cannot be that the Commission
18 awards you damages. Okay. You're nodding that you
19 understand that? Thank you. All right. Before we
20 go any further, you are Timothy Boyle, correct?

21 MR. BOYLE: Correct.

22 JUDGE SEYER: And you are Mimi Boyle?

23 MS. BOYLE: Correct.

24 JUDGE SEYER: And you're husband and wife?

25 MS. BOYLE: Yes.

1 JUDGE SEYER: And you reside in the
2 residence that's in question here?

3 MS. BOYLE: Correct.

4 JUDGE SEYER: Okay. I'm going to go to
5 the other parties and have their attorneys introduce
6 themselves. Starting with Ameren Missouri.

7 MS. FIELDS JOHNSON: Good morning and may
8 it please the Commission, Carla Fields Johnson on
9 behalf of Union Electric Company doing business as
10 Ameren Missouri.

11 MS. HERNANDEZ: As well as Jennifer
12 Hernandez representing Ameren Missouri. Thank you.

13 JUDGE SEYER: And then for the Staff of
14 the Commission.

15 MS. KERR: Carolyn Kerr representing
16 Missouri Public Service Commission.

17 JUDGE SEYER: All right. And the Office
18 of the Public Counsel.

19 MS. MARTIN: Anna Martin representing the
20 Office of the Public Counsel.

21 JUDGE SEYER: All right. Thank you, Ms.
22 Martin.

23 I'd ask anyone in the hearing room today
24 to silence their cell phones or any other mobile
25 devices. Also today, the court reporter is not

1 present in the hearing room but is instead
2 participating via Cisco WebEx. Therefore it is
3 important that you speak into the microphone -- the
4 hearing room microphone so that she can record all of
5 the proceedings. And Mr. and Mrs. Boyle, I don't
6 know that you've gotten -- quite gotten the hang of
7 it yet. But the microphone in front of you, when the
8 green light's on that microphone is live. You don't
9 have to hold the button down, you just toggle it on
10 and off with that button beneath the green light.

11 All right. Do the parties have any
12 preliminary matters before we proceed on to opening
13 statements? All right. Looks like the answer is no.

14 Les see. Then Mr. Boyle, would you like
15 to give an opening statement? I'd ask you to just
16 come up to the podium and there's going to be a
17 microphone there that you can adjust and turn on.

18 MR. BOYLE: Thank you, your Honor. Good
19 morning, your Honor, Commissioners, Staff, Ameren. I
20 want to first thank everybody from the State of
21 Missouri, Judge, Commissioner, Staff, thank you for
22 your service this morning and good morning.

23 My name is Tim Boyle and my wife Mimi
24 Boyle and I are here to present the facts regarding
25 the damage to our home on September 13th, 2004 (sic)

1 caused by Ameren's negligence.

2 On that date, a failed neutral line from
3 Ameren's utility pole to our residence caused extreme
4 and dangerous power fluctuations throughout our home.
5 As a direct result multiple household appliances were
6 immediately and severely damaged. These fluctuations
7 were accompanied by abnormal sounds, dimming lights,
8 burning orders -- odors despite our use of power
9 strips in the house. The nature and extent of the
10 damage was substantial to us and occurred
11 instantaneously.

12 At the time, we had no prior notice nor
13 visual confirmation nor knowledge of any issue with
14 the neutral power line nor did we know what a neutral
15 line was, like most people. The Ameren app said that
16 we, our neighbors -- and our neighbors had power.
17 Given that, we retained a licensed electrician who
18 confirmed the root cause of the failure in Ameren's
19 neutral line which was responsible for the damage
20 that had already occurred.

21 We are not seeking excessive compensation,
22 we are requesting reimbursement only for a portion of
23 our losses and keep it small claims, specifically the
24 cost of damaged appliance replacement, installation,
25 and electrician service totalling \$4,925.25.

1 Additionally, we were forced to endure eight days and
2 nights without air conditioning during a period when
3 real feel temperatures were in the 90's further
4 underscoring the impact of this incident. In
5 addition to two weeks without a stove or an oven.

6 Today, Ameren will likely rely on a tariff
7 -- on tariff provisions claiming non-liability for
8 circumstances beyond what they believe is out of its
9 control. However, this was not an unavoidable event,
10 it was a result of neglected infrastructure.

11 Although Ameren responded after being
12 contacted, their response came after the damage had
13 already occurred. Their delayed action does not
14 absolve them of responsibility for the underlying
15 failure. The facts here are clear, this isn't some
16 strange surge maybe like other cases -- I'm sorry --
17 unlike other cases. Their equipment broke for only
18 our home. Ameren's failure to maintain its equipment
19 directly caused the damage to our home and our
20 property. Based on the evidence and testimony
21 presented, we are confident that you will find Ameren
22 responsible and require them to reimburse us for the
23 losses we incurred. Thank you.

24 JUDGE SEYER: All right. Mr. Boyle, could
25 you wait there for a second. Are there any questions

1 from the commissioners for Mr. Boyle?

2 CHAIR HAHN: I don't think I have any
3 questions but as my -- my mic's on. Yeah. I don't
4 -- I know your request is for damages. The
5 Commission can't award damages.

6 MR. BOYLE: We just found that out. So
7 that's fine. We'll deal with that.

8 CHAIR HAHN: Okay. Thank you.

9 MR. BOYLE: Thank you.

10 JUDGE SEYER: All right. Thank you, Mr.
11 Boyle.

12 MR. BOYLE: That's it?

13 JUDGE SEYER: Yes.

14 MR. BOYLE: All right. Thank you.

15 JUDGE SEYER: All right. Ms. Kerr, would
16 you like to make an opening statement?

17 MS. KERR: Good morning, Judge,
18 Commissioners. My name is Carolyn Kerr and I'm staff
19 counsel for the Missouri Public Service Commission.

20 We're here today to determine whether
21 Ameren Missouri exercised the degree of care required
22 in delivering the electrical services to the Boyle
23 residence before an electrical event on
24 September 13th, 2000 -- or 2024 caused significant
25 damage inside their home.

1 Ameren Missouri owns, operates, controls
2 and maintains electrical distribution equipment
3 including the neutral correct and the wires that run
4 electricity to the homes in the Boyle's neighborhood,
5 including their home. Customers do not maintain or
6 inspect the equipment, they rely entirely on the
7 utility to safely provide electrical service to their
8 home. Excuse me.

9 The evidence will show that on
10 September 13th, 2024 the neutral conductor outside
11 the Boyle's home became compromised. When that
12 occurred abnormal voltage entered the Boyle home and
13 damaged their appliances and other electrical
14 equipment inside the residence. Ameren acknowledges
15 that the neutral connection was compromised and
16 repaired or replaced the equipment after the
17 incident. The dispute in this case is whether Ameren
18 exercised the appropriate degree of care in
19 maintaining and inspecting its electrical
20 distribution system before this event occurred.

21 The Boyles claim it was Ameren's fault the
22 neutral connector became damaged, Ameren claims they
23 are free from negligence or fault because they could
24 not foresee the damage occurring and besides their
25 tariff claims -- their tariff shields them from any

1 unforeseeable damages beyond their control. The
2 evidence will also show that electricity is
3 inherently dangerous and that utilities are therefore
4 required to exercise a high degree of care in the
5 delivery of electrical service. Neutral connectors
6 are critical safety components of the electrical
7 distribution system because they help regulate and
8 stabilize voltage delivered to customer's homes.
9 When a neutral becomes compromised dangerous
10 overvoltage conditions can occur.

11 Although Staff did not take a position in
12 its statement of position this commission will hear
13 evidence regarding the degree of care applicable to
14 the delivery of electrical service. The customer has
15 no responsibility for maintaining or inspecting the
16 electrical distribution system and equipment outside
17 their home to make sure they're in proper working
18 order. Only Ameren has that knowledge, skill and
19 expertise. Only Ameren is responsible and should be
20 held responsible for making sure all of its units and
21 appurtenances are in proper working order and
22 properly maintained. Therefore if properly
23 maintained neutral connector failure should not occur
24 without something seriously wrong occurring.

25 Mere negligence should not be the standard

1 to apply in this case and the Boyles should not be
2 the ones with the burden of proving they did not
3 cause the damage. Ameren should have the burden of
4 proving, as their tariff states, something beyond the
5 reasonable control occurred to cause the damage.

6 At the conclusion of the evidence the
7 Commission will be asked to determine whether Ameren
8 fulfilled its obligation in providing safe and
9 adequate electrical service to the Boyle residence.
10 Thank you.

11 JUDGE SEYER: All right. Are there any
12 questions from the commissioners? All right. Thank
13 you. All right. Ms. Martin, would you like to make
14 an opening statement?

15 MS. MARTIN: The OPC would not like to
16 make an opening statement at this time. Thank you.

17 JUDGE SEYER: Would Ameren Missouri like
18 to make an opening statement? Yes, Ms. Fields
19 Johnson.

20 MS. FIELDS JOHNSON: Good morning. And
21 again, may it please the Commission. On behalf of
22 Union Pac -- Union Electric Company doing business as
23 Ameren Missouri, thank you for the opportunity to
24 present Ameren Missouri's position in this matter.
25 At its core, this case concerns an unfortunate

1 equipment failure that occurred on September 13th,
2 2024 and the resulting damage alleged by the
3 complainants Timothy and Mimi Boyle.

4 While Ameren Missouri certainly
5 understands and appreciates the frustration
6 associated with electrical issues and damage to
7 household equipment the evidence in this case will
8 demonstrate that Ameren Missouri acted reasonably,
9 promptly, and fully consistent with its obligations
10 under Missouri law and the company's commission
11 approved tariffs.

12 The evidence will show that Ameren
13 Missouri first received notice of a problem at
14 approximately 9:18 p.m. on September 13th when an
15 electrician contacted the company to report a broken
16 neutral line serving the residence. Within minutes
17 Ameren Missouri dispatched a service technician.
18 That occurred at 9:27. The repair -- the tech
19 arrived at 9:45. The repair work was completed and
20 the service was restored at approximately 10:22 p.m.
21 So from the time that the call was made to the time
22 that the repair was completed was a total of one hour
23 and four minutes.

24 The evidence will further show that Ameren
25 Missouri did not receive any prior report from the

1 customer regarding fluctuating voltage, a broken
2 neutral, or any other electrical issue before the
3 electrician call that evening. In fact, the first
4 direct contact from the complainants occurred the
5 following day, September 14th, after the repair had
6 already been completed.

7 The Commission will also hear that the
8 alleged damages resulted from a broken neutral line
9 and a broken hot leg that were caused by a squirrel
10 not from negligence, misconduct, or any violation of
11 statute, regulation, tariff, or commission order by
12 Ameren Missouri. Ameren Missouri's tariff, which has
13 the force and effect of law, expressly recognizes
14 that interruptions, deficiencies and imperfections in
15 electrical service can occur despite exercise of
16 reasonable care. The tariff further provides that
17 Ameren Missouri is not liable for damages resulting
18 from conditions beyond the company's reasonable
19 control. The tariff also advises customers to
20 install appropriate protective devices where
21 interruptions or irregularities in service could
22 damage customer equipment.

23 The evidence in this case will establish
24 that Ameren Missouri responded promptly and
25 appropriately once it received notice of the issue.

1 There is no evidence that the company ignored a
2 reported problem, delayed its response, failed to
3 follow applicable procedures or otherwise violated
4 any commission requirement.

5 The evidence will also show that the
6 customer contacted Ameren Missouri when the -- when
7 the fluctuations first began -- I'm sorry. The
8 evidence will show that if customer had contacted
9 Ameren Missouri when the fluctuations first began the
10 damage may have been avoided. Additionally, the
11 evidence will show that the customer installed a
12 whole home surge protection system. If they had done
13 so this damage would likely not have occurred.

14 The Staff of the Commission itself has not
15 identified any specific violation by Ameren Missouri
16 rather Staff stated it could not definitively
17 conclude that any statutes, regulations, tariffs or
18 commission order was violated.

19 At the conclusion of the evidence, Ameren
20 Missouri respectfully submits that the record will
21 support the following findings. One, that Ameren
22 Missouri did not violate any statute, regulation,
23 tariff or commission order. Two, that Ameren
24 Missouri responded reasonably and promptly to the
25 reported issue. Three, that the alleged damages were

1 caused by a squirrel chewing the line and such act
2 was outside the company's reasonable control. Four,
3 that the damages could have been mitigated by
4 installing a home -- whole home surge protection
5 system. And five, that the complaint should be
6 therefore denied.

7 Additionally, as noted by the Commission,
8 to the extent complainant seeks monetary damages for
9 property loss, the evidence and applicable law will
10 demonstrate that no such relief -- that such relief
11 is beyond the Commission's jurisdiction.

12 Again, Ameren Missouri certainly
13 sympathizes with the inconvenience experienced by the
14 complainants but no liability exists where the
15 evidence demonstrates that the company acted
16 appropriately and within the bounds of its legal and
17 regulatory obligations. For all these reasons,
18 Ameren Missouri respectfully requests that the
19 Commission deny the complaint in its entirety. Thank
20 you.

21 JUDGE SEYER: All right. Are there any
22 questions from the commissioners? All right. Thank
23 you.

24 MS. MARTIN: Thank you.

25 JUDGE SEYER: I'm sorry. Commissioner

1 Coleman?

2 COMMISSIONER COLEMAN: Excuse me. Will
3 any of your witnesses speak to the whole home
4 protection system?

5 MS. FIELDS JOHNSON: Yes.

6 COMMISSIONER COLEMAN: Okay. Thank you.

7 MS. FIELDS JOHNSON: Thank you.

8 JUDGE SEYER: All right. Mr. Boyle, my
9 understanding is that you're calling your wife Mimi
10 as the first witness?

11 MR. BOYLE: Yes, your Honor.

12 JUDGE SEYER: All right. So Ms. Boyle, if
13 you could come sit at the witness -- or -- all right.
14 Do you have an --

15 Yeah. Ms. Boyle, what you've got is like
16 a poster board that I believe has the heading of
17 timeline of events. And if you need to, that's --
18 it's not a problem. As a matter of fact, when you're
19 referring to that poster board, if you would like to
20 take the podium so that you've got a microphone there
21 and so forth maybe we can have that moved back just a
22 little bit so that she can -- yeah.

23 (Unintelligible.)

24 JUDGE SEYER: All right. Ms. Boyle, would
25 you raise your right hand, please.

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* * * * *

MIMI BOYLE,

The witness, having been first duly sworn upon her oath, testified as follows:

* * * * *

THE WITNESS: I do.

JUDGE SEYER: All right. Mr. Boyle, go ahead with your questions.

MR. BOYLE: Thank you, your Honor.

EXAMINATION CONDUCTED

BY: MR. BOYLE

Q. Mimi, would you like to describe what you have right there and discuss the timeline that we -- we do have --

JUDGE SEYER: Actually, Mr. Boyle, I'm sorry to interrupt. But Ms. Boyle, could you spell your name for the record? I don't know that you did that.

THE WITNESS: Capital M, capital I, capital M, capital I. And then capital B, capital O, capital Y, capital L, capital E. Sorry. They're not all capitals.

JUDGE SEYER: Doesn't have to be all capitals. All right. Go ahead, Mr. Boyle.

MR. BOYLE: Thank you.

1 EXAMINATION CONDUCTED

2 BY: MR. BOYLE

3 Q. Would you like to tell us the events
4 of the day in question?

5 A. Well, I came -- I had been at the gym
6 working out and I came home from the gym and was
7 making myself some lunch.

8 JUDGE SEYER: And what day was this?

9 THE WITNESS: On Friday the 13th,
10 September 13, 2024.

11 JUDGE SEYER: 2024, okay.

12 THE WITNESS: And I turned on the
13 television because I was going to watch the news
14 while I ate some lunch. And I was chopping up some
15 vegetables and had them in the sink and all of a
16 sudden -- well, I -- so I was putting the vegetables
17 down my garbage disposal and you know the big
18 grinding sound the garbage disposal makes. Well, it
19 started with the garbage disposal just going (witness
20 makes sounds) making a really weird noise. And I was
21 like, oh, no, our garbage disposal is broken, that
22 was my first thought.

23 Then all of a sudden I hear this, like,
24 screeching, screaming noise coming from our living
25 room. And the TV's acting weird and I smell this

1 electrical burning smell. So my first thought was,
2 oh, my gosh, like maybe we're having a house fire.
3 So I ran across the street to my neighbor's house.
4 And he's very smart. He's retired. And I asked him
5 to come over and help me because I didn't know what
6 was going on in our -- inside our home. And he came
7 over and he heard it. And we both smelled the
8 burning smell. And first thing we did was we
9 unplugged the TV because we figured out -- we could
10 tell the smell was coming from the television. And
11 it was kind of a cloudy day. It wasn't raining but
12 it was kind of an overcast day. And so the lights in
13 my home were dimmed. You know, they weren't the
14 normal brightness.

15 And so I checked my phone and I checked
16 our -- you know, the Ameren website has a -- you
17 know, where you can punch in your address and see if
18 your power's out. It didn't, it said my power was
19 working. So I asked my neighbor Neil if his power
20 was out and he said, no, his was working totally
21 fine. I kind of went around to the neighbors and
22 asked, do you guys have this weird stuff going on
23 inside your home to which they all said no, our
24 power's totally fine.

25 So we live in an older home. So the first

1 thing -- oh, and then I also smelled the same burning
2 smell upstairs in our bedroom. So I did the same
3 thing. I unplugged our television. And again,
4 lights were dimming and flickering. And I have no
5 knowledge of what a neutral power line is. And
6 because we live in an older home, our home is almost
7 a hundred years old, I naturally assumed that since
8 on the Ameren website it says we have power, all my
9 neighbors have power, they don't have this situation
10 going on, I'm thinking initially, oh, my gosh,
11 there's something going on with the wiring inside our
12 home.

13 So I call my husband. And he has a friend
14 who is a licensed electrician who helps us when we
15 have issues in our home. And he called his friend
16 and asked his friend if his friend could come over
17 and see what was going on inside our home. And
18 unfortunately his friend was out of town. And so as
19 you can see there's lots of phone calls to my
20 husband, okay, 'cause we're trying to figure out the
21 next step what to do.

22 JUDGE SEYER: And for the sake of record,
23 you're pointing to this poster board that you've got
24 next to you that is titled timeline of events via
25 phone records?

1 THE WITNESS: Yes.

2 JUDGE SEYER: Okay.

3 THE WITNESS: And so we're -- he's --

4 COMMISSIONER COLEMAN: I'm sorry. If I
5 may interrupt. Just as a point. We haven't seen any
6 of these poster boards prior to today and I can't see
7 it now so I can't see what she's --

8 THE WITNESS: Should I turn it?

9 JUDGE SEYER: Would you like to come take
10 a quick look at it?

11 COMMISSIONER COLEMAN: I would appreciate
12 that.

13 MR. BOYLE: It's up on the video.

14 THE WITNESS: It's up on the video.

15 JUDGE SEYER: Oh, it's actually zoomed in
16 on the -- up on the televisions here in the hearing
17 room.

18 THE WITNESS: Oh, okay. Okay. So at the
19 very top you can see lots of phone calls to my
20 husband. And that's because he's at work and he's
21 talking with his friend who is the licensed
22 electrician. And at that time, because of my
23 ignorance of not knowing what a neutral power line
24 was, we're trying to figure out how to get a
25 different electrician in our home. So he's asking

1 his friend who does -- is a licensed electrician in
2 St. Louis, he's asking him if he's got suggestions of
3 other electric companies with licensed electricians
4 that we can call. And so his friend who was out of
5 town was nice enough to give him some phone numbers.

6 Interim, I did call Ameren, as you can
7 see, I think around eleven -- twelve p.m. I called
8 Ameren. Which when you call Ameren you get a, you
9 know, automated phone thing and it's like -- I can't
10 remember the complete logistics. But it's like if
11 you want to pay your bill press one, if you want to
12 report a power outage press two, you know, stuff like
13 that. Well, I wasn't wanting to pay my bill and I
14 wasn't wanting to report an outage because according
15 to them my power was on. So I kept saying
16 representative, representative, representative.
17 Never got a representative. So I hung up and was
18 like, okay, I can't get Ameren on the line, I'm going
19 to move on to trying to find an electrician to get
20 out here.

21 Now, to try and get an electrician to come
22 to your home on a Friday, last minute, that's really
23 hard. You know, everyone I called -- we had Fielder
24 Electric, Bates Electric. As you can see there's,
25 you know, all kinds of phone calls. It was, oh, you

1 know what, we can get somebody out there next week.
2 And I'm like, well, I need somebody right now. I
3 told my husband, I'm like, I'm afraid to go to bed
4 tonight because of this burning smell we're having in
5 our house, I'm afraid we're going to like have a
6 house fire. And all the weird things like lights
7 were going off and then coming on and, you know, that
8 smell, that burning smell.

9 And so -- oh. And then around dinnertime
10 -- so my husband's like, well, I'm going to come home
11 and we'll see if we can figure out how to get
12 somebody to come to the house. Interim, my kids come
13 home from school and I'm making dinner for them. So
14 I'm making some baked potatoes. I put them in my
15 oven and I go upstairs trying to figure out what to
16 do, who to call. We also got on -- it's not on here
17 but I got on Angie's List, it's like a site where
18 they will try to set you up with licensed
19 electricians. Which to no avail, that was
20 unsuccessful. Actually, I think that's where we got
21 the name from Streib was from Angie's List.

22 And so I'm upstairs for like 20 minutes.
23 I come downstairs and our entire downstairs smells
24 like gas. And I'm like, oh, my God, what's going on.
25 Like a gas leak, you know, like from an -- you know.

1 So then, as you can see, then I have to call Spire,
2 the gas people, to come out. So now I'm dealing with
3 all this stuff going on with the electrical stuff,
4 now I'm smelling gas so now I've got to get the Spire
5 people out.

6 They come out around I think it's 6:30 or
7 something. And they're running all kinds of checks
8 on our house for the gas leaks. They're running
9 tests on the meters, they're running tests on the
10 pipes downstairs. And they can't find a gas leak
11 until they get to the stove and then their little
12 beeper thing is like going -- oh, and then they go
13 downstairs to turn on a light and it blows the light
14 bulbs in our basement 'cause they turned on the light
15 to go down to the basement. I mean, just all these
16 strange things are happening.

17 So I'm having quite the meltdown at this
18 point. I'm like not knowing what I can do. I think
19 I did try to call Ameren again. Keep getting the
20 same -- yeah. Keep getting the same robo automated
21 phone call. So finally Streib Electric calls me back
22 and they're like -- it's after hours. And they're
23 like, well, sure, we can send somebody out but it's
24 \$400 because it's Friday, it's after hours. And I'm
25 like, that's fine. I'm just glad somebody's coming

1 out.

2 So the guy comes right out. And he comes
3 in and he's looking all around our house, he's
4 running some tests. And then he goes outside and he
5 said, I know exactly what's wrong. He's like, you
6 have a broken neutral power line. And I said, what's
7 that? And he explained to me what the neutral power
8 line is. And he said, I'm going to call Ameren and
9 they're going to come out. And I said, well, good
10 luck because I've been trying to call them and I
11 can't get past the automated, you know, response.
12 And he goes, I have a special number that all
13 electricians have. And he goes, they'll answer when
14 I call. And they did. And they did send somebody
15 right out.

16 But -- and if we could -- if we could
17 scroll down here on this. In my research it
18 basically says that damage from a broken neutral line
19 can be instantaneous to near instantaneous, occurring
20 in seconds. And when the neutral is lost before the
21 main electrical panel, a lost neutral voltage or 120
22 circuits, 120 volt circuits can spike up to as high
23 as 240 volts causing electronic devices to burn out
24 or let the smoke out almost immediately.

25 So what I didn't realize was all this

1 damage had already taken place. So 11:30 when all
2 this stuff started happening, stuff was already, you
3 know, damaged in our home. And what protected our TV
4 was the power strips which were blown. And my
5 husband didn't bring this up but our ceiling fan in
6 our living room no longer works. The light works,
7 it's dim. But we can no longer use our ceiling fan.
8 We didn't even add that. We couldn't -- at the time
9 we couldn't even afford to have our ceiling fan
10 fixed. Now when you turn it on it's like (witness
11 making sound), it'll barely turn.

12 And so the electrician said that on one
13 side of our house --

14 MS. FIELDS JOHNSON: Your Honor, I'm
15 sorry. I'm going to have interject an objection with
16 regard to any testimony concerning what the
17 electrician said. That's hearsay.

18 JUDGE SEYER: Do you understand what the
19 objection is? Mr. Boyle, do you understand the
20 objection?

21 MR. BOYLE: I assume so. We're just
22 quoting what he said.

23 JUDGE SEYER: Well, but the -- we can't
24 have testimony of what another person said, we need
25 to have that person here --

1 MR. BOYLE: Okay. That's fine.

2 JUDGE SEYER: -- to do the actual
3 testimony. So I'll sustain the objection and strike
4 that from the record.

5 THE WITNESS: I will say this. (TESTIMONY
6 STRUCK FROM THE RECORD.)

7 MS. FIELDS JOHNSON: Again, your Honor,
8 I'm renewing that same objection with regard to
9 testimony on what the electrician said. Both now and
10 prior testimony with regard to what the electrician
11 said.

12 JUDGE SEYER: All right. Do you have any
13 response to that, Mr. Boyle?

14 MR. BOYLE: Excellent.

15 JUDGE SEYER: All right. So I will
16 sustain that objection. And we'll strike that
17 testimony from the record.

18 THE WITNESS: Well, Judge Seyer, this
19 quote, that comes -- that comes from the internet.

20 JUDGE SEYER: Right. But that's not the
21 objection. The objection is to what the electrician
22 said or any reactions he may have had.

23 MR. BOYLE: That's fine. Line was down.

24 JUDGE SEYER: And since we're on the
25 subject. Just for the sake of the record, you said

1 Streib Electric and it looks like on your poster
2 board it's spelled S-T-R-E-I-B. Okay. I'm just
3 saying that for the sake of the court reporter.

4 THE WITNESS: And let me tell you
5 something. When -- I was like kissing the ground
6 when they came.

7 MS. FIELDS JOHNSON: And your Honor,
8 before we get started again, I just want to make sure
9 that I've got something clear with regard to the
10 record. So all testimony that the -- regarding what
11 the electrician said will be stricken?

12 JUDGE SEYER: Yes.

13 MS. MARTIN: Sir, I do have a question.
14 Are we including information that is not -- that was
15 not stated to prove -- or that is not said to prove
16 the matter that she is claiming? And -- because
17 hearsay is an out of court statement --

18 THE REPORTER: Who is speaking now,
19 please?

20 MS. MARTIN: This is Anna Martin with the
21 Office of the Public Counsel.

22 THE REPORTER: Thank you.

23 MS. MARTIN: It's an out of court
24 statement that is used to prove the fact of the
25 matter asserted. So if they're not trying to prove

1 the fact of whatever the electrician asserted then it
2 wouldn't technically be hearsay. Also, there's an
3 effect on the listener. If she is explaining her
4 reaction to what the electrician told her then that
5 is also permissible hearsay.

6 JUDGE SEYER: Do you have a response?

7 MS. FIELDS JOHNSON: I don't recall there
8 being any testimony that wasn't introduced to prove
9 the information that --

10 JUDGE SEYER: Right. That's not -- that's
11 not -- to me that didn't fall into that exception.

12 THE WITNESS: Judge, I also have a board.
13 What about our bill from Streib where it has the
14 diagnosis that was what got Ameren out there in the
15 first place? It's on our bill from Streib. Is that
16 struck from the --

17 JUDGE SEYER: Well, that hasn't been
18 introduced yet.

19 THE WITNESS: Well, I'll introduce it now
20 if we can. That and the poster.

21 MR. BOYLE: Which one, this one?

22 THE WITNESS: No. The other one. Tim,
23 pass out...

24 JUDGE SEYER: All right. Mr. Boyle, you
25 are in the process, if not already completed the

1 process, of distributing copies of a five page
2 document that I think we would refer to as Exhibit 1
3 if that's all right with you?

4 MR. BOYLE: Yes, please.

5 JUDGE SEYER: Okay. Let's give the
6 parties -- I assume the parties have not yet seen
7 this exhibit; is that correct?

8 MR. BOYLE: It was part of our formal
9 complaint, but...

10 JUDGE SEYER: Okay. All right. Still.
11 Let's give them a minute -- let's give them a
12 minute --

13 MR. BOYLE: Sure.

14 JUDGE SEYER: -- to review that document.

15 MS. FIELDS JOHNSON: So I'm certainly
16 going to object to the hearsay that's in the
17 document. And I haven't seen what they're going to
18 do with it yet to determine whether or not I'm going
19 to have an additional objection. But at this point
20 there's certainly documents indicating -- that
21 include statements of what this electrician
22 supposedly said and did.

23 THE WITNESS: How could that be hearsay?
24 It's on a document, a written document, a bill.

25 JUDGE SEYER: Right. So that particular

1 objection I'll overrule. And if there is testimony
2 about this document that includes hearsay then we'll
3 address it then.

4 MR. BOYLE: Would you like to outline --
5 just relay what it says?

6 THE WITNESS: Well, in regards to -- I
7 mean, this was the invoice that was sent to us by
8 Streib Electric. And in regards to hearsay, this --
9 the electrician, that was -- that was why Ameren came
10 out, because he informed --

11 MS. FIELDS JOHNSON: Again, your Honor.

12 THE WITNESS: -- Ameren -- he informed
13 Ameren that it was a broken neutral power line.
14 Which may I add, the neutral power line where it was
15 broken was across the street from our house.

16 MS. FIELDS JOHNSON: May I interject the
17 same objection to hearsay? Again, the witness is
18 testifying to what the electrician said which is
19 hearsay. The statements within the document discuss
20 what the electrician said. And so she's testifying
21 to those which are hearsay. And then I'd also
22 interject that there hasn't been a proper foundation
23 laid for the use of this document.

24 JUDGE SEYER: All right. But it is
25 established that they brought an electrician to the

1 home, the electrician contacted Ameren. So I'm going
2 to overrule that objection. And Ms. Boyle, you can
3 continue with your testimony. Or Mr. Boyle, do you
4 have questions?

5 BY: MR. BOYLE

6 Q. Go ahead and continue, please.

7 A. So in the previous board I had up, in
8 my research it said that the damage caused by a
9 neutral power line is almost instantaneous. So you
10 could infer, or hypothesize, that the damage to all
11 our appliances was basically done before Ameren was
12 even called out.

13 And I'm not going to deny, once Ameren was
14 contacted they did come out right away. And on this
15 poster board, if I may, unfortunately after the fact
16 we did have up here, over here -- actually, pass out
17 the bill from Hoffman Brothers. We did have a surge
18 protector installed. We did have a surge protector
19 installed.

20 Q. It's part of --

21 A. It's part of the packet. We did have
22 a surge protector put on our home afterwards, after
23 the damage was done. And we paid for it out of
24 pocket. So what is interesting is if you look at
25 what's highlighted in the tariff that was written on

1 May 31st, 2013, it talks about putting the
2 responsibility of a surge in a homeowner's home on
3 the homeowner.

4 Again, I never knew what a neutral power
5 line was until this unfortunate event happened. And
6 then my husband found an article in the News Tribune
7 from July of 2021 where if you can read -- you want
8 to pass that out --

9 MR. BOYLE: Approach with the (inaudible).
10 This will be Exhibit 2.

11 JUDGE SEYER: Yes.

12 THE WITNESS: Can I have one? So if you
13 look, this was in the News Tribune, written --

14 JUDGE SEYER: Ms. Boyle, again, can you
15 give us a minute --

16 THE WITNESS: Oh, sure.

17 JUDGE SEYER: -- here to take a look at
18 this document? All right. Ms. Boyle, you can
19 continue.

20 THE WITNESS: All right. So if you look
21 at this sheet that my husband passed out to you from
22 the News Tribune, written by Jeff Haldiman on
23 July 30th, 2021 it says that the Missouri Public
24 Service Commission had rejected an application filed
25 by Ameren Missouri seeking to offer a surge

1 protection program to its electricity customers. The
2 program is flawed in that customers using the program
3 would be dealing with a third-party device
4 manufacturer that the PSC does not regulate,
5 according to a PSC news release. The PSC cannot
6 protect customers against that third-party's action.
7 It did say the PSC would be willing to consider a
8 pilot program that remedies these issues, however we
9 never heard of anything about that.

10 And if you look down here at the bottom it
11 says on September 21st, 2020 Ameren filed tariff
12 sheets designed to implement a surge protection
13 program for its electricity customers to protect
14 electrical devices from voltage surges and spikes.
15 But when our claim through Brentwood Services to be
16 reimbursed with Ameren, they didn't send us a tariff
17 from 2020, they sent us a tariff from May 31st, 2013.
18 We didn't see this. I don't know if it's an updated
19 tariff or what. But we were only sent a tariff from
20 May 31st of 2013 which is seven years prior to the
21 tariff on September 20th, 2020. And actually, this
22 news article -- newspaper article was written
23 July 30th of 2021. So we never received anything in
24 the mail about anything.

25 I never heard of any of this until we

1 turned -- submitted a claim, like we were told -- we
2 jumped through all the hoops, we did everything
3 Ameren told us to do. We filled out -- you guys have
4 it -- this big long insurance claim through Brentwood
5 Services. We still have -- we have the motor, the
6 electrical board, everything in our car a couple of
7 blocks away. They told us to keep it. They said
8 they were going to send an adjuster out to look at it
9 on Ameren's behalf. It took them forever to respond
10 and when they finally did respond it was like too
11 bad, so sad, your claim has been denied. We're
12 covered under this, the tariff from 2013.

13 So down here at the bottom I wrote the
14 broken line was found on the pole across the street
15 from our house and the -- in our neighbor's yard. So
16 it wasn't even in our yard. I don't know -- call me
17 a simpleton, I don't know, but anyone who has
18 problems going on in their home, I don't know a whole
19 lot of people -- I also read -- I mean, again this is
20 hearsay. I read online that less than 15 percent of
21 people know what a neutral power line is. And I did
22 not know what a neutral power line was until it
23 happened to us. And I know everyone in here knows
24 what it is because you guys work for Ameren and
25 everyone's researched this case so everyone knows

1 what a neutral power line is now. But I bet -- I
2 mean, our neighbors, none of them, we are the only
3 ones now who have a surge protector on our home. The
4 only one on our entire street. No one else has a
5 surge protector. They didn't know what a neutral
6 power line was until this unfortunate event happened
7 to us.

8 BY: MR. BOYLE

9 Q. Is that all the timeline of the
10 events?

11 A. Huh?

12 Q. Is that all the timeline of the
13 events that day?

14 A. Yeah. And then you want to -- let's
15 bring this up.

16 JUDGE SEYER: Okay. For the sake of the
17 record, we have an easel next to the podium where
18 you're testifying and you have replaced one poster
19 board with another poster board that has a couple of
20 photos on it.

21 THE WITNESS: Yes.

22 MR. BOYLE: And I have pictures of each of
23 those photos here for everybody that I entered as
24 Exhibit 3.

25 THE WITNESS: And also pass out this, if

1 the judge allows.

2 JUDGE SEYER: Yeah. Would you like -- you
3 say you do have copies of those? Oh.

4 THE WITNESS: And pass out that sheet,
5 please.

6 MR. BOYLE: Which one is that?

7 (Inaudible.)

8 THE WITNESS: And then I'll take a copy,
9 if you have one. Make sure everybody else gets one
10 first.

11 JUDGE SEYER: All right. And so Mr.
12 Boyle, you have distributed two photos and we have
13 marked those as Exhibit 1A, which is --

14 MR. BOYLE: 3A.

15 JUDGE SEYER: I'm sorry, 3A. Which is a
16 picture of you standing on the street pointing at the
17 line coming from the pole into your house. Is
18 that --

19 MR. BOYLE: That's right. The line coming
20 in and where the repair, which is in the second
21 photo, --

22 JUDGE SEYER: Okay.

23 MR. BOYLE: -- exists on that.

24 THE WITNESS: We were trying to establish
25 perspective, like how far away it was from our actual

1 house.

2 JUDGE SEYER: Uh-huh.

3 THE WITNESS: But we failed at that. I
4 was standing -- it's closer -- where the line
5 actually broke was actually closer to our neighbor's
6 house across the street than it was to our house.

7 JUDGE SEYER: Right.

8 MR. BOYLE: The middle of the street.

9 THE WITNESS: And then this is the line
10 after it was repaired.

11 JUDGE SEYER: Okay. And that is a photo
12 that we have marked as Exhibit 3B?

13 MR. BOYLE: Correct.

14 JUDGE SEYER: And there's also a sheet of
15 paper marked Exhibit 4 that at the bottom refers to
16 the website, www dot Morgan Inspection Services dot
17 com. And that again, for the sake of the court
18 reporter, is M-O-R-G-A-N. All right. So let's
19 continue.

20 THE WITNESS: So again, in our research I
21 -- like I said, when this problem initially happened
22 we thought the problem lied within our home. We live
23 in an older home, almost a hundred years old. So
24 when all these odd occurrences started happening and
25 I go to the Ameren website and it says we have power

1 and all my neighbors have power and they don't have
2 these strange occurrences, I came to the conclusion
3 that we were having some kind of an electrical
4 situation inside our home.

5 And on this thing that I found on the
6 internet it says a lost neutral normally occurs
7 outside the home somewhere between the utility pole
8 and the service entrance in the home. For a lost
9 neutral situation to arise the neutral must be lost
10 before the main electrical panel in the home. By
11 their nature, the cause of most lost neutrals is
12 normally outside the home. Some causes are weather,
13 animals, poor installation or corrosion. Anything
14 that causes the connection of the neutral wire to
15 become damaged and incapable of carrying electrical
16 current will result in the lost neutral. Damaged
17 installation resulting in corrosion can cause a
18 broken neutral power line.

19 Now, I know that Ameren is claiming that a
20 squirrel or some kind of animal chewed through the
21 line, however there was no evidence of that. We
22 found no dead animal on the ground that night, I'm
23 sure the electrician and I both would have noticed
24 that when we were waiting for Ameren to show up.
25 Because I stood out there with the electrician and I

1 watched as the guy came in the cherry picker and went
2 up and repaired the line.

3 And one thing to note, -- I don't know if
4 the gentleman who fixed it is here today. Is he
5 here? The one who fixed our line? He's here. Okay.
6 He made the statement that --

7 JUDGE SEYER: Well, I'll just interrupt
8 you there. Let's just let him say what he said.

9 THE WITNESS: Okay.

10 JUDGE SEYER: Or you or Mr. Boyle can ask
11 him what he said that day. Otherwise it's hearsay.

12 THE WITNESS: Okay. And may I object to
13 what he's saying if --

14 JUDGE SEYER: Surely you can. Or your
15 husband can. And again, can ask him questions if he
16 is making a statement that you believe is not
17 consistent with what he said that day.

18 THE WITNESS: Okay.

19 JUDGE SEYER: Of course you can ask him
20 about that.

21 THE WITNESS: Okay. So we -- we're not
22 having any kind of bad weather. Actually, my
23 husband -- it's in the packet. That whole month of
24 September we didn't have any storms or any kind of
25 remarkable winds or any kind of, like, you know,

1 power outages, you know, that might have caused this
2 problem. There was no evidence of a squirrel that we
3 saw 'cause I would assume that if a squirrel had
4 chewed through a neutral power line they would get
5 shocked and die and be on the ground below where the
6 incident happened. And there was no evidence of
7 that.

8 So I'm kind of coming to the conclusion
9 that, I mean, this is just an example of a line that
10 maybe has gone bad due to old age, corrosion,
11 exposure to the elements over a course of years and
12 maybe wasn't -- was neglected to be checked on a
13 regular basis and unfortunately we were the people
14 who suffered the loss of our power and everything
15 because of it.

16 JUDGE SEYER: All right. Mr. Boyle, do
17 you have any further questions?

18 MR. BOYLE: One last question.

19 BY: MR. BOYLE

20 Q. You called Ameren about a line down
21 last year, correct? And did they ever come out and
22 did you speak to somebody?

23 MS. FIELDS JOHNSON: Okay. So -- I'm
24 sorry. I'm going to object to this line of
25 questioning as irrelevant. Not sure -- is this a --

1 it doesn't appear that this testimony pertains to the
2 incident that we're here for.

3 JUDGE SEYER: Mr. Boyle, is that correct?

4 MR. BOYLE: Not that incident. But we
5 called Ameren and they didn't pick up and they didn't
6 respond.

7 THE WITNESS: You need to answer his
8 question.

9 MR. BOYLE: We can talk about it later.

10 JUDGE SEYER: I'll sustain the objection.

11 THE WITNESS: Okay. That's all we have.
12 I think. I believe.

13 JUDGE SEYER: As I mentioned earlier, Ms.
14 Boyle, the other parties have the opportunity to ask
15 you questions. And so --

16 THE WITNESS: Perfect.

17 JUDGE SEYER: -- the first party I'll give
18 that opportunity to is the Office of the Public
19 Counsel.

20 MS. MARTIN: No questions at this time.
21 Thank you.

22 JUDGE SEYER: All right. Ms. Kerr, on
23 behalf of the Staff?

24 MS. KERR: Thank you.

25 JUDGE SEYER: Yes, Ms. Kerr. And before

1 you get started. Ms. Boyle, would you like to --
2 unless there's an objection, I don't care if you sit
3 at the table or if you sit at the witness stand.
4 Probably be better on the witness stand.

5 THE WITNESS: Sure.

6 JUDGE SEYER: And you're through with this
7 -- the easel? Yes. Okay. And then there's going to
8 be a separate microphone that you'll probably need to
9 turn on.

10 THE WITNESS: Where do you turn -- it's
11 on.

12 JUDGE SEYER: Oh, it is always on. Okay.
13 My mistake. All right. Ms. Kerr.

14 MS. KERR: Thank you.

15 EXAMINATION CONDUCTED

16 BY: MS. KERR

17 Q. Now, before this incident, had you
18 had any problems with your electric service?

19 A. No.

20 Q. Had your appliances been functioning
21 normally before this?

22 A. Yes. And I will say this. The
23 minute the line was fixed it was magic, everything
24 went back to normal. The minute the line was fixed.
25 However, the electrician came in and by then

1 everything was -- you know, he was checking
2 everything. And he found that our ECM motor was
3 shot, our electric board both in our furnace.

4 And then Hoffman Brothers, when they came
5 the next morning, they found that -- same thing. And
6 they also found that the igniter in our oven had been
7 blown. And because of that, because it was leaking
8 gas because the igniter wasn't working Spire shot --
9 shut down our oven and would not turn it back on
10 until a new igniter had been installed and the oven
11 was considered workable again.

12 Q. But everything had been working prior
13 to this?

14 A. Per -- perfect.

15 Q. Had you received any warnings or --
16 from anyone that your home was -- wiring was unsafe
17 in anyway prior to this?

18 A. No. In fact, our -- my husband's
19 friend who is an electrician, he had done some work
20 for us, like installing some lights in our bathroom
21 and stuff like that. And we had asked him if there
22 was any concerns because we were living in an older
23 home and he said everything looked great.

24 MS. FIELDS JOHNSON: Again, I'm going to
25 object to that response as hearsay.

1 THE WITNESS: Of course.

2 MS. KERR: Goes to the notice --

3 JUDGE SEYER: Right.

4 MS. KERR: -- that she said they might
5 have.

6 JUDGE SEYER: Overrule that objection.

7 BY: MS. KERR

8 Q. Do you rely on Ameren to safely
9 deliver electric service to your home?

10 A. Yes.

11 Q. You don't own the power lines or
12 anything like that?

13 A. No.

14 Q. And do you maintain any of the lines
15 or conductors outside your home?

16 A. No.

17 Q. Have you ever been trained to inspect
18 or otherwise maintain the electric utilities?

19 A. No.

20 Q. Would you consider it safe for a
21 homeowner to attempt to repair and inspect the
22 utility equipment?

23 A. No. In fact, in my research I guess
24 I feel fortunate that I wasn't electrocuted
25 unplugging the power surge stuff and fiddling around

1 with the lights that were dimming and flickering, you
2 know, in our home. Because in my research it said
3 that you can be electrocuted doing such.

4 Q. And you said after -- after what
5 happened Ameren restored the power to your home?

6 A. It went back immediately.

7 Q. So the electrician you called didn't
8 restore the power?

9 A. No.

10 Q. It was Ameren?

11 A. He just diagnosed the problem.

12 Q. Okay. 'Cause as far as you -- as far
13 as you knew only Ameren could restore the power, the
14 electrician couldn't?

15 A. Right.

16 Q. Okay.

17 A. And that's -- I know it -- he said --
18 he came out, he diagnosed the problem and I said,
19 well, can you fix it and he said, I cannot. He said,
20 you have to call Ameren. And that's when I said,
21 well, good luck 'cause they don't answer. And that's
22 when he said, I have a special number, I will call
23 them, they will come right out.

24 MS. FIELDS JOHNSON: I'm going to --

25 THE WITNESS: And they did.

1 MS. FIELDS JOHNSON: -- object to this
2 line of questioning as hearsay.

3 JUDGE SEYER: Right. I think she's
4 previously testified to the electrician calling
5 Ameren and so forth. So I don't know that there's
6 any harm in that testimony coming in. So I'll
7 overrule that objection.

8 MS. KERR: I think that's all, Judge. I
9 don't think I have any other questions.

10 JUDGE SEYER: All right.
11 Cross-examination by Ameren.

12 MS. FIELDS JOHNSON: I have no questions.

13 JUDGE SEYER: All right. Mr. Boyle, do
14 you have any -- well, actually let me ask the
15 commissioners first if they have any questions for
16 the witness. All right. Then Mr. Boyle, do you have
17 any re-direct is what we call it, follow up questions
18 in other words, for your wife based on the questions
19 that were asked by Ms. Kerr?

20 THE WITNESS: No.

21 MR. BOYLE: No, I do not.

22 JUDGE SEYER: All right. Thank you then.
23 Ms. Boyle, you are free to leave the witness stand
24 and return to your seat. And Mr. Boyle, I'm going to
25 ask you -- I would assume that these Exhibits 1

1 through 5 you would like to admit into evidence so
2 that the Commission can consider them?

3 MR. BOYLE: Yes, your Honor.

4 JUDGE SEYER: All right. Are there any
5 objections to Exhibits 1 through 5 -- I'm sorry, 1
6 through 4?

7 MS. FIELDS JOHNSON: Is there any way to
8 ask you what 5 was?

9 JUDGE SEYER: Sorry. There is no
10 Exhibit 5 as of yet.

11 MS. BOYLE: Your Honor, may my husband --
12 he forgot to pass out some other thing we got off
13 line, some information. May he pass that out as
14 evidence?

15 JUDGE SEYER: Sure. Let's pass it out and
16 give the parties a chance to look at it if it's
17 something you do want to admit into evidence.

18 MS. BOYLE: Yes. These two. To each
19 person.

20 JUDGE SEYER: I had a feeling there would
21 be an Exhibit 5.

22 (Inaudible.)

23 UNIDENTIFIED SPEAKER: And Tim, I'll take
24 a copy.

25 MS. BOYLE: Just one last thing. If you

1 look at this that I found, and this was from the
2 Choate's HVAC dot com. Which is very hard to find
3 information about a neutral power line, it usually
4 sends you to some sort of a company, like an electric
5 company or an HVAC company. But if you look it
6 doesn't say to call Ameren, it says to consult a
7 licensed electrician. So when we were having these
8 issues I did what I thought was right by consulting a
9 licensed electrician. The unfortunate thing was it
10 being a Friday, it being -- you know, it was hard to
11 get somebody to come out. And like previously we
12 said, I mean, by the time -- (TESTIMONY STRUCK FROM
13 THE RECORD) -- when we were making phone calls to all
14 these electricians. It says --

15 MS. FIELDS JOHNSON: Your Honor, --

16 MS. BOYLE: -- contact a licensed
17 electrician.

18 JUDGE SEYER: Go ahead.

19 MS. FIELDS JOHNSON: I'm sorry. I'm going
20 to object to that testimony as being speculation.

21 JUDGE SEYER: I'll sustain that objection.
22 So we'll strike that, your testimony that refers to
23 these documents. They more or less speak for
24 themselves. So having said that, are there any
25 objections to an -- any objections to the admission

1 of Exhibits 1 through what I am going to call 5A and
2 5B, that's what they've been marked as. The first
3 one, 5A, is titled When to Call a Professional and
4 the 5B is How to Address -- How to Address a Loose
5 Neutral Wire. Are there any objections to Exhibits 1
6 through 5?

7 MS. FIELDS JOHNSON: No. No, this is the
8 one. Yes, your Honor. Ameren would object to
9 Exhibit 2 and Exhibit 5A and B as hearsay and the
10 objection is that the proper foundation for these
11 documents hasn't been laid.

12 JUDGE SEYER: All right. Exhibit 2 is the
13 News Tribune newspaper article about the case
14 involving Ameren Missouri requesting a surge
15 protection program.

16 Mr. Boyle, what is -- is the purpose for
17 offering this exhibit to show that -- from what I
18 kind of gathered from your wife's testimony is that
19 it's kind of designed to show that there was -- there
20 was a point where Ameren sought Commission approval
21 for a program to either offer surge protection to its
22 customers or to offer it at a discount and that was
23 rejected by the Commission. So I'm not 100 percent
24 sure how that is relevant.

25 MR. BOYLE: Sure. It may be brought up

1 later. But we were denied our claim by Ameren due to
2 the tariff which says you may want to put in --

3 MS. BOYLE: Not may, you should.

4 MR. BOYLE: Should.

5 MS. BOYLE: We told you -- (TESTIMONY
6 STRUCK FROM THE RECORD.)

7 MR. BOYLE: 'Cause it's rare that Ameren
8 is ever at fault.

9 MS. BOYLE: But the thing is is my husband
10 and I knew nothing of this, our neighbors still don't
11 know anything of this. And the article shows that
12 that really was not passed, that -- you know, we now
13 have one on our -- in our home by necessity and from
14 what happened but no other neighbor does. This is
15 not some kind of enforced law by Ameren.

16 MR. BOYLE: (TESTIMONY STRUCK FROM THE
17 RECORD.)

18 MS. FIELDS JOHNSON: I'm going to assert
19 an objection to testimony with regard to what Ameren
20 said.

21 JUDGE SEYER: Right. I'll sustain that.
22 We'll strike that from the record. I don't find this
23 Exhibit 2 relevant. I'm going to sustain the
24 objection. Exhibit 2 is not admitted into evidence.
25 And then when it comes to Exhibit 5A and 5B -- oh,

1 here we go. Ms. Fields Johnson, what's your
2 objection on that?

3 MS. FIELDS JOHNSON: I would object that
4 it's hearsay, that the foundation hasn't been laid
5 properly and that it's not relevant.

6 JUDGE SEYER: Mr. Boyle, I believe the
7 reason you're offering this is just essentially to
8 provide evidence that you -- that you and your wife
9 didn't do anything that contributed to the surge
10 damaging the appliances and so forth in your home; is
11 that correct?

12 MR. BOYLE: Correct.

13 JUDGE SEYER: I don't know that that is --
14 has been alleged. But I really do not see the harm
15 in admitting these documents. So I will admit
16 Exhibits 5A and 5B. And we'll also admit Exhibit 1,
17 3 -- I'm sorry. One -- yes. One, 3A, 3B, and 4.

18 All right. So it is 10:30. I would like
19 to take a break here and we will reconvene, we will
20 shoot for a goal of 10:40. So we're going off the
21 record.

22 (At this point in the proceedings, a short
23 recess was taken.)

24 JUDGE SEYER: We are back on the record.
25 Mr. Boyle, according to the procedural schedule,

1 you're listed as the next witness. Would you like to
2 testify?

3 MR. BOYLE: I don't have anything to say.

4 JUDGE SEYER: Okay. Then if you are not
5 testifying that would -- again, --

6 MR. BOYLE: That was there -- I'm sorry,
7 your Honor. I think I was there just in case.

8 JUDGE SEYER: Right, right, right.

9 MR. BOYLE: Thank you.

10 JUDGE SEYER: She did fine. So next on
11 the witness list is Staff's witness, Mr. Bax,
12 correct? Okay. Mr. Bax, would you raise your right
13 hand, please.

14 * * * * *

15 ALAN J. BAX,

16 The witness, having been first duly sworn
17 upon his oath, testified as follows:

18 * * * * *

19 JUDGE SEYER: All right. Thank you. Go
20 ahead, Ms. Kerr.

21 MS. KERR: Thank you.

22 EXAMINATION CONDUCTED

23 BY: MS. KERR

24 Q. Good morning.

25 A. Good morning.

1 Q. Would you please state your name and
2 spell it for the record?

3 A. Alan J. Bax. A-L-A-N, J, B-A-X.

4 Q. Thank you. And by whom are you
5 employed and what's your position?

6 A. I'm employed by the Missouri Public
7 Service Commission, staff engineer in the engineering
8 analysis department, the industry analysis division.

9 Q. Thank you. And how long have you
10 been a staff engineer with the PSC?

11 A. Twenty-six years.

12 Q. And generally, what are your job
13 duties and responsibilities?

14 A. I do -- I do investigation, you know,
15 on electric -- generally electrical or gas rate
16 cases.

17 Q. Do your job duties include receiving
18 and investigating consumer complaints as well?

19 A. Uh-huh.

20 Q. And have you -- you've investigated
21 electrical service complaints before?

22 A. Yes.

23 Q. And about -- do you know about how
24 many over the years you've done?

25 A. No. I -- hundreds.

1 Q. Okay. And generally, what is -- what
2 is your -- what do your investigations -- what does
3 that involve when you get an investigation?

4 A. Yeah. In general you get a
5 description of the circuit, the circuit components.
6 You get any outage -- you get outage information,
7 repair and maintenance information, vegetation.

8 Q. And does that include talking to the
9 complainants?

10 A. It most likely does.

11 Q. Okay. Are you familiar with Timothy
12 and Mimi Boyles?

13 A. Yes. I'm familiar with their formal
14 complaint, yes.

15 Q. And how did you become first familiar
16 with them?

17 A. Yeah. I was assigned to the -- to
18 the formal complaint when it was -- when it was
19 filed.

20 Q. Have you done similar investigations
21 since the one involved with the Boyles?

22 A. Yes.

23 Q. And how did this matter come to your
24 attention?

25 A. Yeah. With the notification that I

1 had been assigned to the case.

2 Q. I'm going to hand you what's been
3 marked Exhibit -- what's going to be marked
4 Exhibit 200. Do you recognize it? Oh, I'm sorry.
5 I'm so sorry. Do you recognize that?

6 A. Yes, I recognize this.

7 Q. And what is it?

8 A. It's the formal complaint package
9 filed by the -- Mr. and Mrs. Boyle.

10 Q. Did you obtain it in the normal and
11 ordinary course of business as an engineer for the
12 Missouri Public Service Commission?

13 A. Yes.

14 Q. And how did it come to your
15 attention?

16 A. It was received in a notification
17 that I had been assigned to the case.

18 Q. And when was it filed?

19 A. Last October.

20 MS. KERR: I'd ask that Exhibit 200 --

21 THE WITNESS: Or October 20 -- yeah.

22 MS. KERR: Ask that Exhibit 200 be entered
23 into exhibit -- into evidence.

24 JUDGE SEYER: And I would assume you would
25 offer a public copy and a confidential?

1 MS. KERR: I have a -- I have the
2 confidential version as well. I could enter that
3 into exhibit.

4 JUDGE SEYER: All right.

5 MS. KERR: Do you want that copy?

6 JUDGE SEYER: I -- personally I do not
7 need it. I've seen it in the EFIS system. But just
8 so that if these -- if this document is admitted that
9 we'll have a public and confidential copy. Are there
10 any objections to the admission of Exhibit 200?

11 MS. FIELDS JOHNSON: Your Honor, I need a
12 second to look at it. I want to make sure there
13 aren't any -- if there aren't any statements from the
14 electrician then I don't have any objection to the
15 document. If there is then we would object on the
16 grounds of hearsay. Your Honor, I don't have any
17 objections to the admission of the document. You've
18 already admitted the invoices and so the -- the
19 portion of the complaint I don't have any objection
20 to.

21 JUDGE SEYER: Okay. Then Exhibit 200 is
22 admitted. There is a public version and a
23 confidential version.

24 MS. KERR: Thank you.

25 BY: MS. KERR

1 Q. Have you done similar investigations
2 involving neutral conductor failures?

3 A. On occasion, yes.

4 Q. And do you know about how many you've
5 done of those?

6 A. No.

7 Q. Okay. Was there anything different
8 about this one or similar?

9 A. No.

10 Q. Now, in your investigation, who did
11 you -- did you talk to the Boyles?

12 A. I did.

13 Q. And what did you find out from them?

14 A. I was essentially very -- you know,
15 trying to verify the information or -- that was
16 provided in the formal complaint package.

17 Q. And --

18 A. Discussed the situation.

19 Q. Go ahead. And what documents, if
20 any, did you obtain from them?

21 A. I did not obtain anything from them.

22 Q. Okay.

23 A. That was not filed.

24 Q. Did you talk to Ameren, anyone from
25 Ameren?

1 A. I didn't, no.

2 Q. So what was alleged to have been
3 damaged at the Boyle house by the -- by the damaged
4 neutral conductor?

5 A. As was -- as the damage to an igniter
6 in the oven, there was some lights that were damaged,
7 the furnace motor or circuit board.

8 Q. Do you know if there was any damage
9 to any other electrical lines at the residence?

10 A. No. Just the -- I did not.

11 Q. Who owns the neutral conductor
12 serving the Boyle's home?

13 A. The neural line that is being -- that
14 is being referred to is owned by Ameren Electric,
15 Ameren Missouri.

16 Q. Who's responsible for servicing and
17 maintaining it?

18 A. Ameren Missouri.

19 Q. Do the Boyles have any responsibility
20 for maintaining or upkeep of that neutral conductor?

21 A. No.

22 Q. Was there any evidence that Ameren
23 had prior notice of issues involving the power lines
24 or neutral conductor prior to September 13th?

25 A. I did not -- I did not find any.

1 Q. Were there any prior complaints
2 regarding Ameren's neutral line causing damage to
3 resident's homes?

4 A. No.

5 Q. Any prior complaints regarding
6 service issues by Ameren to the Boyle's home?

7 A. No.

8 Q. Did you or do you know if Ameren --
9 did you investigate any other potential causes for
10 the damage?

11 A. No. That -- it was -- it's clear
12 that the -- in this instance that the situation was a
13 failed neutral -- Ameren Missouri's neutral line.

14 Q. Do you know if Ameren investigated
15 other potential causes?

16 A. No.

17 Q. Do you know what causes were
18 considered, if any?

19 A. No. Ameren Missouri came -- Ameren
20 Missouri was notified that -- by the electrician that
21 the neutral wire had failed and Ameren Missouri came
22 out and repaired it.

23 Q. Do you know if the damage could have
24 been caused by anything other than the neutral line
25 -- a damaged neutral line?

1 A. No. Apparently not in this case.

2 Q. So what does it mean to provide safe
3 and adequate service?

4 A. Yeah. A utility -- a utility
5 customer and a utility strives to provide reliable --
6 reliable service in a safe manner.

7 Q. And who has that obligation?

8 A. The utility.

9 Q. Do they have that -- did they have
10 that obligation to the Boyles?

11 A. Yes.

12 Q. And where does that -- where do they
13 get that obligation from?

14 A. Yeah. That's a -- yeah. That's in
15 Missouri's statutes. That's in regulations, tariffs.

16 Q. I'm going to hand you -- I'm going to
17 hand you what's been marked 20 -- 201.

18 A. Yeah.

19 Q. Do you recognize that?

20 A. Yes.

21 Q. What is that document?

22 A. This is the staff report.

23 Q. Is that document prepared by you in
24 the normal and ordinary course of business as an
25 engineer with the Missouri Public Service Commission?

1 A. Yes.

2 Q. And is it kept in your files in the
3 normal and ordinary course of business --

4 A. Yes.

5 Q. -- as an engineer? Was the
6 information contained in the document made at or near
7 the time of the accident or events described in the
8 document?

9 A. Yes.

10 Q. Are the opinions and conclusions
11 contained in the report your own?

12 A. Yes.

13 Q. Can you describe what's in the
14 document?

15 A. Yeah. In the -- in the document
16 there's a -- I mean, a summary of the -- of the
17 investigation and a conclusion that unable to
18 identify a violation of any tariff, statute,
19 regulation, or commission order.

20 Q. Did you come to -- what's the
21 significance of that document? Did you come to any
22 con -- I'm sorry. What's the significance of
23 providing that documentation, or that document?

24 A. Yeah. It -- to -- the idea was to --
25 yeah, that could not conclude that Ameren Missouri

1 had committed any violations of a statute,
2 regulation, tariff, commission order.

3 MS. KERR: I ask that Exhibit 201 be
4 entered into evidence.

5 JUDGE SEYER: Is there -- and that is the
6 staff report with the accompanying memorandum?

7 MS. KERR: Yes. And there should be a
8 public and a confidential.

9 JUDGE SEYER: Right. Actually it is
10 labeled report of the staff. I called it a
11 memorandum, but...

12 MS. KERR: Yes.

13 JUDGE SEYER: Okay. Is there any
14 objection to the admission of that document?

15 MS. FIELDS JOHNSON: None by Ameren
16 Missouri.

17 MR. BOYLE: No, your Honor.

18 JUDGE SEYER: All right. Exhibit 201 is
19 admitted.

20 BY: MS. KERR

21 Q. Do we take any -- did the Staff take
22 a position as to whether -- I'll strike that.

23 MS. KERR: I don't have any other
24 questions.

25 JUDGE SEYER: All right. Any

1 cross-examination by Ameren?

2 MS. FIELDS JOHNSON: No, your Honor.

3 JUDGE SEYER: All right. Ms. Martin for
4 Public Counsel?

5 MS. MARTIN: Just a couple of questions,
6 if that's okay.

7 EXAMINATION CONDUCTED

8 BY: MS. MARTIN

9 Q. So when you were writing the staff
10 report and determining what the recommendation should
11 be, did you take into account everything involved in
12 the formal complaint, everything that the Boyles told
13 you, including what the electrician told them, what
14 -- the statements that the electrician may or may not
15 have made that was in that documentation, things like
16 that?

17 A. She had mentioned that, yes.

18 Q. Okay. And in listening to what the
19 electrician had said and in reviewing those
20 documents, you determined that you could not
21 determine whether Ameren had made -- or had violated
22 a tariff, statute or regulation and that we should
23 hold a hearing to determine that, correct?

24 A. Yes.

25 Q. Okay. So all the evidence, including

1 the electrician's statements, helped you come to that
2 conclusion?

3 A. Yes.

4 Q. Okay. Thank you so much.

5 MS. MARTIN: I do not have anything else.

6 JUDGE SEYER: All right. Mr. Boyle, do
7 you have any questions?

8 MR. BOYLE: No, sir.

9 JUDGE SEYER: All right. Thank you. Any
10 questions from the commissioners? All right. Ms.
11 Kerr, any re-direct?

12 MS. KERR: No, thank you.

13 JUDGE SEYER: Okay. All right. Thank
14 you, Mr. Bax.

15 THE WITNESS: Thank you, Judge.

16 JUDGE SEYER: You're free to go. And my
17 understanding is that is Staff's lone witness?

18 MS. KERR: Yes.

19 JUDGE SEYER: All right. Then we will
20 proceed with Ameren Missouri's witnesses. So call
21 your first witness.

22 MS. KERR: Judge.

23 JUDGE SEYER: Yes.

24 MS. KERR: I have the confidential copy of
25 the Exhibit 201, if you want that.

1 JUDGE SEYER: That's fine. Yeah.

2 MS. KERR: You want it?

3 JUDGE SEYER: Yeah, sure.

4 MS. FIELDS JOHNSON: Your Honor, Ameren
5 calls Aubrey Krcmar as our first witness.

6 JUDGE SEYER: Would you raise your right
7 hand, please.

8 * * * * *

9 AUBREY KRCMAR,

10 The witness, having been first duly sworn
11 upon her oath, testified as follows:

12 * * * * *

13 JUDGE SEYER: Thank you. You can go
14 ahead.

15 EXAMINATION CONDUCTED

16 BY: MS. FIELDS JOHNSON

17 Q. Could you please state your name and
18 spell your name for the record?

19 A. Yes. Aubrey Krcmar, A-U-B-R-E-Y,
20 K-R-C-M-A-R.

21 Q. And Ms. Krcmar, who are you employed
22 with?

23 A. Ameren Missouri.

24 Q. And what is your position with
25 Ameren?

1 A. My current position is manager of
2 regulatory engagement. But prior to March I served
3 as a regulatory liaison for eight years.

4 Q. And so during the time of this
5 incident with the Boyles you were a -- the liaison
6 lesion?

7 A. That's correct.

8 Q. And have you held any other positions
9 with Ameren Missouri in the past?

10 A. Yes. For 17 years I was in our
11 customer contact center. My first position with
12 Ameren Missouri was as a customer service
13 representative where I handled customer inquiries
14 directly. I spent time as the administrative support
15 for the department as well as a customer service
16 supervisor where I managed a team of up to 20
17 customer service representatives.

18 Q. Okay. And with regard to your duties
19 as the liaison, could you tell the commission a
20 little bit about what you do in that space, or what
21 you did?

22 A. Sure. So one of the primary
23 responsibilities was to ensure that Ameren Missouri's
24 business practices were in compliance with the rules
25 and regulations that we follow as an investor owned

1 utility. I also managed and oversaw the resolution
2 -- the investigation and resolution of all Missouri
3 Public Service Commission complaints as well as any
4 other third-party complaints against the company.

5 Q. Okay. And so that would include
6 complaints filed by customers like the one we're here
7 for today?

8 A. Correct. As a liaison I served as
9 the lead investigator and witness for formal
10 complaint proceedings as well as other litigation.

11 Q. And are you familiar with the Boyle's
12 complaint in this case?

13 A. Yes.

14 Q. Did you review that complaint?

15 A. Yes.

16 Q. And if you could explain what you did
17 to conduct that review?

18 A. Sure. So there had already been an
19 informal PSC complaint filed by the Boyles so that's
20 where I started. I started by reviewing all the
21 information that had previously been gathered and
22 provided to Staff in that investigation which
23 included all of the details related to the service
24 order incident, any customer interactions. I
25 reviewed the phone records and reviewed the claims

1 information that had been submitted as well just to
2 ensure the accuracy of all the information that we'd
3 previously been provided.

4 Q. Okay. And then in terms of records
5 that you reviewed, can you explain the records that
6 are actually reviewed as part of this process?

7 A. Sure. So we call service order
8 incidents -- internally we refer to those as trouble
9 orders. So we have systems that record everything
10 related to a trouble order, or a service order issue.
11 OAS is one system that is used, EADMS is another
12 system that is used. And those systems record
13 everything from the time a service order issue or
14 outage is reported until resolution. So I'm able to
15 see all of the details related to how we handled and
16 responded to those orders.

17 We also have customer service platforms,
18 customer service record platforms such as CSS and
19 CRM. And those systems record not only the trouble
20 or service order incidents that are called in but
21 anything that is related -- any interaction that's
22 related to a customer account. So I reviewed all of
23 those records that are always -- you know,
24 information in there is, you know, our normal course
25 of business.

1 And I also reviewed our phone records,
2 which are maintained in the system called Genesis,
3 all of the phone interactions related to this as well
4 as the records received from our third-party claims
5 administrator who is Brentwood Services. Their
6 records are also maintained within systems and I was
7 able to review those as well.

8 Q. Okay. Do you have the packet of
9 exhibits --

10 A. Yes.

11 Q. -- with you?

12 MS. FIELDS JOHNSON: So if I may, your
13 Honor?

14 JUDGE SEYER: Yes, you may approach.

15 BY: MS. FIELDS JOHNSON

16 Q. So you have a packet of exhibits in
17 front of you and it starts with Exhibit 100. So I'd
18 ask you to turn to Exhibit 100. And if you could
19 tell the commission what this document is?

20 A. Yes. This is the response we
21 submitted to the PSC staff related to the informal
22 complaint that had been received from the Boyles.

23 Q. Okay. And is this -- if you could
24 tell us what information is in that screenshot?

25 A. Sure. So that screenshot is a

1 screenshot from our OAS, outage analysis system. It
2 is the system where we track the trouble order
3 details and completion information related to a
4 service order issue. So that is the specific
5 screenshot of the resolution of the service order
6 issue that had been called in on September 13th of
7 2024.

8 Q. Okay. And so with regard to
9 information that's in there, how do you identify that
10 -- that this includes information about the incident
11 that we're talking about today?

12 A. So of course this is a very old
13 system that's a mainframe system. But, you know, the
14 address is captured in here so the customer's address
15 is listed. The -- there's a lot of internal
16 terminology. But there's an order number. There is
17 -- there are -- down below -- or on the screen where
18 it states like component damage, completion, I mean,
19 this shows me that there was a service order called
20 in. The remarks line states that this is what was
21 originally reported to us was that there was power
22 out to part of the residence, broken neutral. And we
23 can see as well that we repaired the neutral and hot
24 leg, that is what we did to resolve this issue.

25 There's other information as well. It

1 shows you who the line -- troubleman was that
2 responded to and repaired this issue and that was --
3 the crew leader is what it's called in this system.
4 That was Christopher Kemp. And it also shows you
5 information such as the time the order was
6 dispatched, the time our line troubleman arrived
7 on-site, and then the time that the job was
8 completed. So obviously being familiar with these
9 systems really helps to help interpret what all of
10 this means.

11 Q. Okay. And then with regard to the
12 narrative information that's surrounding that
13 screenshot. If you would explain where that
14 information comes from?

15 A. Sure. So the information obtained to
16 respond or provide this response to staff for the
17 informal complaint was pulled from this system OAS,
18 also from EADMS and -- as well as CSS and CRM, those
19 are our platforms that record all of the
20 interactions. So this -- that's where we were able
21 to pull the information, the customer name, address,
22 the date that they started service in their name at
23 that particular address.

24 And we were able to describe that, you
25 know, we were aware that the service was out, there

1 was a work order which showed our response to that.
2 And then indicate as well that the following day Mrs.
3 Boyle called and stated that her AC unit wasn't
4 working after the -- after the issue from the night
5 before. We were able to -- so that information is
6 all pulled from CSS, CRM, OAS and EADMS.

7 We were able to find the claim
8 information. So we reached out -- our Brentwood
9 Services, our third-party claims administrator, from
10 their records that they maintain, was able to share
11 with us a copy of a damage claim packet that had been
12 submitted by Mr. and Mrs. Boyle as well as their --
13 what they did to investigate and sent us then a copy
14 of the claim denial letter.

15 Q. Okay. And that summary at the
16 bottom?

17 A. Yep. Sure. So the summary at the
18 bottom is, you know, basically -- and I can read it.
19 "The damage claim was denied due to an equipment
20 failure. Such failures and imperfections occur from
21 time-to-time but they are not the result of any fault
22 or lack of care, to the contrary failures occur even
23 though due care is exercised."

24 Q. And you said this document was
25 prepared in connection with the informal complaint

1 that was originally filed?

2 A. That's correct.

3 Q. And is this the document that is kept
4 in the ordinary course of business of Ameren?

5 MS. FIELDS JOHNSON: So I would move for
6 the admission of Exhibit 100C.

7 JUDGE SEYER: All right. Is there any
8 objection to the admission of Exhibit 100C? Yes.

9 MS. BOYLE: I have a question before that.
10 May I ask?

11 JUDGE SEYER: And just again for the sake
12 of the record, you're Ms. Boyle?

13 MS. BOYLE: Yes.

14 JUDGE SEYER: Yes. What is your question?

15 MS. BOYLE: When you refer to Genesis,
16 that's an --

17 JUDGE SEYER: Oh. Let's reserve that for
18 your cross-examination.

19 MS. BOYLE: Oh, okay. Okay. Then no.

20 JUDGE SEYER: Okay. So hearing no
21 objections to the document, Exhibit 100C is admitted.

22 MS. MARTIN: I do have one concern.

23 JUDGE SEYER: Oh, sorry.

24 MS. MARTIN: I -- the summary at the
25 bottom where it says, "Such failures and

1 imperfections occur from time-to-time but they are
2 not a result of any fault or lack of care, to the
3 contrary failures occur even though due care is
4 exercised" seems as though it is a conclusion beyond
5 the intent. It seems as though that is an out of
6 court statement made for the -- for the truth of what
7 it's asserting. So I would say that's hearsay.

8 JUDGE SEYER: Let -- I'm going to overrule
9 that objection. You can address that in
10 cross-examination. So Exhibit 100C is admitted.

11 BY: MS. FIELDS JOHNSON

12 Q. Now, I'd like to take your attention
13 to Exhibit 101. And if you could explain to the
14 commission what Exhibit 101 includes?

15 A. Sure. So as I mentioned, we have two
16 different platforms, business system platforms that
17 we use to track all the details related to our
18 service order issues or outages. One of them is OAS.
19 And that copy of that mainframe screen was included
20 in our response in Exhibit 100. 101 -- Exhibit 101,
21 these -- this is the same information but it's
22 obtained from our EADMS system. And so these are
23 screens of the information that we were able to
24 review related to this September 14th service order
25 issue.

1 Q. Okay. And is this also a true and
2 accurate copy of the information that's found on the
3 EADMS system?

4 A. Yes.

5 Q. And is this information that's kept
6 in the ordinary course of Ameren's business?

7 A. Yes.

8 MS. FIELDS JOHNSON: So I would move for
9 the admission of Exhibit 101.

10 JUDGE SEYER: Is there any objection? All
11 right. Hearing none, Exhibit 101C will be admitted.

12 MS. FIELDS JOHNSON: Okay.

13 BY: MS. FIELDS JOHNSON

14 Q. And -- so while we're still looking
15 at Exhibit 101C, if you could -- can you identify
16 what time the call -- the complaint came in, the call
17 came in?

18 A. Yes. So the top third of this screen
19 states the customer call details, the name of the
20 customer, the premise number, which is a unique
21 identifier to the actual meter service location
22 there. Created. It was created at September 14th,
23 2024 at 2118, so 9:18 p.m. It had been reported by
24 Robert Coonce and then his call back number listed
25 there.

1 Q. Okay. And this information, in terms
2 of when it's entered in relation to when the call
3 comes in, how quickly is it entered?

4 A. Same time, realtime. So as soon as
5 that call came in this order was -- began populating
6 within the system.

7 Q. Okay. And then with regard to the
8 second half of the sheet, if you could explain kind
9 of what that shows?

10 A. Sure. So the order details are all
11 listed at the bottom then of this screen. There are
12 different tabs so -- which is why in order to show
13 all of the information, you know, we had to kind of
14 break this into two different screenshots. But field
15 notes you can look at. Equipment details includes
16 the same information that was shown on that OAS
17 screen but indicates that the equipment, the service
18 damage, code, burned, completion, info, repair. And
19 then the additional details, those abbreviations
20 state that the line technician repaired the neutral
21 and hot leg.

22 I can also identify by the crew activity
23 the individual who actually worked that job and
24 completed the job, which was Mr. Christopher Kemp.
25 Status completed. The dispatch time -- so as I

1 mentioned before, the order was created at 9:18 p.m.
2 and it was dispatched, which means that it was --
3 showed up on the screen of the line technician at
4 9:27 p.m. Mr. Kemp, arrived at the Boyle's residence
5 at 9:45 and then the job was completed at 10:22 p.m.
6 where he repaired the neutral and hot leg.

7 Q. Okay.

8 JUDGE SEYER: Let me interrupt just very
9 briefly so that we don't get too far away from this
10 testimony and I forget to ask this question. But you
11 had referred to Robert Coonce as the person that
12 reported the issue?

13 THE WITNESS: Yes.

14 JUDGE SEYER: And that, if I'm looking at
15 this correctly on the exhibit, his last name is
16 spelled C-O-O-N-C-E?

17 THE WITNESS: That is the way that the
18 advisor, the customer service representative who took
19 the call, she possibly did not -- she did not ask him
20 to spell his last name. So sometimes we do see
21 misspellings in last names based on the advisor --
22 the customer service representative who's entering
23 the order.

24 MS. FIELDS JOHNSON: Your honor, it's C-E,
25 C as in cat.

1 JUDGE SEYER: Oh, C-O-O-N-C-E?

2 MS. FIELDS JOHNSON: Yes.

3 JUDGE SEYER: All right. Thank you.

4 BY: MS. FIELDS JOHNSON

5 Q. And so at the time that Mr. Coonce
6 submitted the report, what did he indicate was the
7 problem?

8 A. So again, at the top half of the
9 screen, caller comments. Well, so the symptoms of
10 the call -- so these are the questions that are asked
11 of -- our customer service representatives ask of our
12 customers, you know, to determine how to best enter
13 that order. So it was determined that there was a
14 partial outage at the premise, general equipment
15 problem. And there's some different trouble codes as
16 well that are entered. Partial outage, equipment
17 trouble, service request.

18 But the caller comments are what the
19 customer service representative who took that order
20 and entered it into the system obtained from Robert
21 Coonce was that power out to part of the residence,
22 broken neutral going into the home and electrician
23 states very dangerous. So those are the comments
24 that we received from the electrician who called in
25 the order.

1 Q. And the repair that was made was for
2 more than a broken neutral, correct?

3 A. Correct.

4 Q. Okay. What else was repaired?

5 A. So we repaired the neutral and a hot
6 leg. Which is another one of the triplex pieces of
7 equipment.

8 Q. That was causing part of the problems
9 at the house?

10 A. Correct.

11 Q. Okay. So after receiving the report
12 that there was a problem, what actions did Ameren
13 take?

14 A. So as I mentioned a little bit --
15 walked through the timeline a few moments ago. But
16 as soon as that order was entered by our customer
17 service representative the order went to our dispatch
18 office and they then routed that, dispatched it out
19 to one of our line troubleman who then responded and
20 corrected the problem promptly.

21 Q. Okay. And as I understand it from
22 looking at this report and -- the repair was --
23 service was restored at 10:22 p.m.?

24 A. That's correct.

25 Q. Okay. And so in terms of contact

1 with the customer, when did Ameren first receive
2 contact from the Boyles concerning this incident?

3 A. The next morning. So the morning of
4 the 14th.

5 Q. And so that was after the repair was
6 made?

7 MS. BOYLE: I object.

8 JUDGE SEYER: What's your objection?

9 MS. BOYLE: Well, I did try to call, it's
10 on our timeline. I did try to call that day several
11 times but talked to an automated system.

12 JUDGE SEYER: So your objection is that --

13 MS. BOYLE: The first --

14 JUDGE SEYER: -- the question is --

15 MS. BOYLE: The first time that I called
16 was the next day, that's incorrect.

17 JUDGE SEYER: Okay. But the first time
18 you actually made contact with an Ameren
19 representative was the next morning?

20 MS. BOYLE: Yes.

21 JUDGE SEYER: Okay. Well, I'll overrule
22 the objection and that is in the record as far as
23 your -- you testified earlier as to your attempts to
24 contact Ameren.

25 BY: MS. FIELDS JOHNSON

1 Q. So again, your first contact with the
2 Boyles was that following morning -- or the company's
3 first contact?

4 A. That's correct. The first reported
5 contact with the customer was the 14th, the next
6 morning, where we actually had an interaction with
7 the customer.

8 Q. Okay. And I know you heard testimony
9 from Ms. Boyle about having made attempts to make
10 contact with Ameren the day before. Was that
11 investigated as part of the informal complaint
12 process?

13 A. Yes. There was an additional --
14 after the initial informal complaint response was
15 submitted, which was Exhibit 100, there was a follow
16 up question received from staff regarding the
17 attempts from the customers to reach us.

18 Q. Okay. And I'm going to show you
19 what's been marked as -- or I'm going to have you
20 look at what's been marked as Exhibit 102C. Can you
21 tell the commission what this is?

22 A. Yes. So this is the follow up
23 response to Mr. Alan Bax related to the customers'
24 allegations that they had called us on the 13th
25 instead of not reaching us until the 14th. So what

1 we did was we thoroughly reviewed our call records
2 for the phone numbers that we had on the account as
3 both the primary and the secondary, and we were able
4 to determine that the first call were -- and like I
5 said, recorded calls, any attempts -- if anyone calls
6 in and doesn't, you know, actually speak with someone
7 or there's -- you know, then that call is not
8 recorded because there's nothing to record.

9 So the first call from the customer
10 recorded was on September 14th. The call from the
11 electrician had been recorded on the 13th. Our
12 records did not show a call from the customer prior
13 to receiving one from the electrician on the evening
14 of the 14 -- on the 13th, excuse me. And then the
15 phone numbers we listed, we ran searches on both of
16 the phone numbers that had been listed on the account
17 and we also indicated to commission staff that if
18 there was another number that we should search,
19 please respond back with that phone number and we'd
20 be happy to search for additional calls.

21 Q. And you said this document was made
22 in connection with the informal complaint?

23 A. Yes.

24 Q. And is this something that is made
25 and kept in the ordinary course of business of

1 Ameren?

2 A. Yes.

3 Q. Okay.

4 MS. FIELDS JOHNSON: At this time, I would
5 move for the admission of Exhibit 102C.

6 JUDGE SEYER: All right. Is there any
7 objection?

8 MS. KERR: I don't have any objections but
9 I just want to note that the Boyles' address is
10 listed on all of these exhibits so that should
11 probably be made confidential.

12 JUDGE SEYER: Right.

13 MS. KERR: Or at least redacted.

14 JUDGE SEYER: Right. And that exhibit as
15 well as 100 and 101 are marked confidential. Any
16 other -- well, that wasn't an objection. But is
17 there any objection to the admission of that
18 document? All right. Exhibit 102C will be admitted.

19 BY: MS. FIELDS JOHNSON

20 Q. Based on your review, what was
21 identified as the issue that was affecting the
22 residence?

23 A. So based on my review the -- well,
24 there was a damaged neutral and hot leg.

25 Q. And did your review indicate what

1 caused that issue?

2 A. Yes. So through my investigation I
3 was able to determine that likely a squirrel but some
4 type of animal had chewed through both of those
5 lines.

6 Q. And are equipment failures or damages
7 to lines like the one in this case something that can
8 occur even when equipment is properly maintained?

9 A. Yes.

10 Q. Like to spend a little time talking
11 about the damage claim that was submitted by the
12 Boyles. Did the Boyles submit a damage claim to
13 Ameren Missouri?

14 A. They did, yes.

15 Q. And so if you could explain to the --
16 for the commission, what happens when a customer
17 submits a damage claim?

18 A. So Brentwood Services, our
19 third-party claims administrator, reviews the same
20 systems that I mentioned earlier, they'll review our
21 service orders, systems OAS and EADMS to first of all
22 -- first of all identify whether there was an issue
23 reported at that specific home on that particular
24 date. And then they review the type of damage or
25 what was determined to be the cause of the outage or

1 partial outage or voltage fluctuation, whatever it
2 may be and then based on that determine whether or
3 not the company was at fault for the cause of that
4 particular service order issue and then they'll
5 either deny or approve the claim appropriately.

6 Q. And there are times that the claims
7 are denied and then there are times that the claims
8 are approved, correct?

9 A. Yes.

10 Q. And was this process used in the case
11 of the Boyle's damage claim?

12 A. Yes.

13 Q. And then what was the outcome that
14 was determined by Brentwood Services?

15 A. The particular claim for the
16 September 13th incident was denied by Brentwood
17 Services.

18 Q. Okay. And I draw your attention to
19 Exhibit 103. If you could tell the commission what
20 Exhibit 103 is?

21 A. This is a copy of the denial letter
22 that was sent to Mr. and Mrs. Boyle --

23 Q. Okay.

24 A. -- on October 25th of 2024.

25 Q. And is this a document that is kept

1 in the ordinary course of business for Ameren
2 Missouri?

3 A. Yes.

4 MS. FIELDS JOHNSON: And so I would move
5 for the admission of Exhibit 103C.

6 JUDGE SEYER: Is there any objection?
7 Exhibit 103C is admitted.

8 BY: MS. FIELDS JOHNSON

9 Q. And if you could share what the
10 determination was in that exhibit that was sent to --
11 that was made by Brentwood Services and sent to the
12 Boyles?

13 A. Yes. So the second paragraph, "After
14 reviewing the circumstances surrounding this claim,
15 we find the problem you experienced was due to an
16 equipment failure. In this case a service line
17 failed which in turn affected your service. Due to
18 the very nature of the equipment" -- and this is the
19 same type of language that was used in our summary
20 for the informal complaint. But -- "it's impossible
21 for the company to guarantee that no part of it will
22 ever fail. And of course regret any inconvenience
23 and loss that we -- that the customer suffered. We
24 find however no fault on the part of Ameren and must
25 respectfully deny your claim."

1 Q. Okay. So you heard the testimony of
2 Staff witness with regard to the investigation that
3 was conducted in connection with the preparation of
4 his report, correct?

5 A. Yes.

6 Q. Okay. And in this case, did Staff
7 issue what are known as data requests in this matter?

8 A. We did receive a data request -- I'm
9 sorry, data, data, tomato, tomato. But yes, we did
10 receive a data request in this case related to -- we
11 had -- the company had requested information through
12 data requests of the Boyles. And so we received a
13 data request from Staff asking us to share the
14 information received from the Boyles.

15 Q. Okay. Is it customary to receive a
16 series of data requests in complaint cases?

17 A. From my experience, yes.

18 Q. And so were those standard data
19 requests that are submitted in complaint cases
20 submitted in this case by Staff?

21 A. We hadn't received any data requests
22 requesting any additional information other than what
23 had been --

24 MS. MARTIN: Objection, relevance.

25 MS. FIELDS JOHNSON: When it speaks to the

1 investigation that occurred, and I --

2 MS. MARTIN: But is it speaking to the
3 actual event?

4 MS. FIELDS JOHNSON: It's speaking to, you
5 know, whether or not -- what the level of the
6 investigation was. It does --

7 MS. MARTIN: I don't believe that Ms.
8 Krcmar?

9 THE WITNESS: Krcmar.

10 MS. MARTIN: Sorry, Krcmar is the proper
11 witness. That would have been Mr. Bax.

12 MS. FIELDS JOHNSON: Well, she would have
13 been the witness who responded to the data requests.
14 She can certainly testify as to --

15 MS. MARTIN: You're arguing that there
16 weren't any data requests, you're arguing the
17 sanctity of the Staff's investigation. That would
18 have been more appropriate to address with Mr. Bax.

19 MS. FIELDS JOHNSON: We're not argue --
20 I'm sorry, say it again. Arguing what?

21 MS. MARTIN: You're commenting on the
22 thoroughness of Staff's investigation and that would
23 have been more appropriate to address with Mr. Bax.

24 MS. FIELDS JOHNSON: Well, I haven't
25 gotten to what I'm asking about with regard to the

1 investigation. But it's not the thoroughness of the
2 investigation, it's what information Ameren Missouri
3 would have been able to provide had data requests
4 been submitted. I haven't asked the question yet.

5 MS. MARTIN: Then I just don't understand
6 why there is commentary on the number of data
7 requests and what is a normal amount of data
8 requests.

9 MS. FIELDS JOHNSON: I haven't gotten to
10 the question that --

11 JUDGE SEYER: I'm going to overrule the
12 objection.

13 BY: MS. FIELDS JOHNSON

14 Q. If you had received a standard data
15 request in this matter, what information would you
16 have expected to be able to provide?

17 A. We -- I would have expected to
18 provide additional information in greater detail more
19 so than what had been provided in the informal
20 complaint response such as I think we're often asked,
21 you know, details on line inspections, details on,
22 you know, cause of particular damage once that's been
23 determined. The information that was provided in the
24 informal complaint, although accurate, there is
25 additional information that could have been provided

1 had we had opportunity to do so.

2 Q. Okay.

3 MS. BOYLE: May I object?

4 JUDGE SEYER: What's your objection?

5 MS. BOYLE: Ms. Krcmar's talking about a
6 lack of thoroughness with the investigation.

7 THE WITNESS: No, ma'am, I wasn't
8 suggesting that, I was just responding to the
9 question.

10 MS. BOYLE: But I certainly -- I thought I
11 understood that, that you said had it been a more
12 like intense type of investigation that would have
13 changed things or something like that?

14 THE WITNESS: I didn't --

15 JUDGE SEYER: No.

16 THE WITNESS: I didn't mean to say that.
17 I mean, if you took it that way that's --

18 MS. KERR: I'm going to object to this
19 back and forth.

20 JUDGE SEYER: Okay. All right. So Ms.
21 Boyle, do you withdraw your objection? All right.
22 And for the record, you said okay. You can go ahead.

23 BY: MS. FIELDS JOHNSON

24 Q. I'm not sure where I was, I
25 apologize. Give me a second.

1 So are you familiar with Ameren Missouri's
2 tariffs?

3 A. Yes.

4 Q. Okay. And you have Exhibit 110,
5 which is the tariff sheet? Do you have -- well, do
6 you have a copy of the tariff sheet with you?

7 A. Yes. I do, yes.

8 Q. And would having a copy of the
9 tariff -- the commission approved tariff assist you
10 with this portion of your testimony?

11 A. Yes.

12 MS. BOYLE: We didn't get that.

13 JUDGE SEYER: Yes. Just so we're all on
14 the same page, I'm looking at an Exhibit 110 that
15 appears to be a photo.

16 MS. FIELDS JOHNSON: Yes. No, I
17 apologize. I don't believe that I've given you all a
18 copy of the approved tariff. It would be 111 but I
19 don't think I've given you an Exhibit 111. So I
20 would -- and I don't intend to admit an Exhibit 111.
21 But I would like our witness to be able utilize the
22 document, the court approved tariff to assist with
23 her testimony.

24 JUDGE SEYER: All right. I don't see any
25 issue with that. That has been -- I've seen it in

1 the case files, I believe in Ameren's answer as well
2 as the -- Ameren's statement position, I believe.

3 MR. BOYLE: Can I ask what the date of it
4 is?

5 MS. KERR: I believe it's in the staff --

6 JUDGE SEYER: Ms. Kerr, you're also saying
7 it's in the staff report?

8 MS. MARTIN: I just --

9 MS. KERR: Yes, it's in the staff report.

10 MS. MARTIN: For ease, it might helpful to
11 just take judicial notice of Ameren's tariff in its
12 entirety that's filed with the Missouri Public
13 Service Commission.

14 JUDGE SEYER: Yes. The -- the effect of
15 tariff on the date in question was MO PSC Number 6
16 original sheet 50 -- I'm sorry, original sheet 105
17 under general rules and regulations, general
18 provisions and continuity of service. That is
19 actually referenced on Page 4 of the report of the
20 Staff that accompanies Exhibit 201. And the
21 Commission will take notice of that tariff.

22 MS. FIELDS JOHNSON: And I can certainly
23 provide, if the Commission prefers, a copy of already
24 admitted Exhibit 201 to the witness and have her
25 utilize that to assist with her testimony rather than

1 the document that she has.

2 JUDGE SEYER: Whatever's most convenient
3 for you. I think we've all got a copy of Exhibit 201
4 and can refer to that.

5 MS. FIELDS JOHNSON: We'll just utilize
6 what she has then.

7 BY: MS. FIELDS JOHNSON

8 Q. If you could explain to the
9 Commission what this tariff addresses?

10 A. Yeah. So Sheet 105 of our commission
11 approved general rules and regulations is our
12 continuity of service statement which in a nutshell
13 states that, you know, we absolutely take all
14 reasonable effort to provide reliable service without
15 interruption but unfortunately imperfections do occur
16 at times and we cannot guarantee the service as to
17 continuity, freedom from voltage and frequency
18 variations. So we are not responsible or liable for
19 damages to customers' apparatus resulting from
20 failure or imperfection of service beyond the
21 reasonable control of the company. And also in that
22 statement it does indicate that in cases where such
23 failure or imperfection of service might damage
24 customers' apparatus customers should install
25 suitable protective equipment.

1 Q. And there's a date associated with
2 this tariff, is there not?

3 A. Correct. The effective date for this
4 Sheet 105 is February 28th of 2022.

5 MS. BOYLE: Objection.

6 JUDGE SEYER: What's your objection?

7 MS. BOYLE: Well, the tar -- the bottom of
8 my tariff it says May 31st, 2013.

9 THE WITNESS: This is the most recent
10 approved tariff, Sheet 105.

11 MS. BOYLE: Well, this is the one that was
12 sent with your rejection letter via Kaylee Ellis,
13 this is the one we got, the one from 2013. And it's
14 actually included in the packet.

15 JUDGE SEYER: Well, what's relevant in
16 this hearing is what tariff Ameren was obliged to
17 follow on the date, September 13th, 2024. So I'm
18 going to overrule your objection and Ms. Fields
19 Johnson, you can continue.

20 MS. FIELDS JOHNSON: Okay.

21 BY: MS. FIELDS JOHNSON

22 Q. You had the opportunity -- did you
23 have the opportunity to review the claims packet and
24 the information that was submitted by the Boyles?

25 A. Yes.

1 Q. And in that packet did it include
2 reimbursement for a whole home surge protector?

3 A. That was one of the line items I
4 recall, yes.

5 Q. And -- so to your understanding, did
6 the Boyles have a whole home surge protector
7 installed following this incident? In fact, I think
8 they testified to that.

9 A. Yes.

10 Q. Is this the type of protective
11 equipment that the tariff is referring to?

12 A. I believe so, yes.

13 Q. And based upon your investigation, if
14 the surge protector had been installed could that
15 have prevented the damage to the Boyle's home?

16 A. From my understanding, yes.

17 Q. Okay. Based upon your investigation,
18 did Ameren Missouri violate any statutes,
19 regulations, tariffs, or commission orders in
20 connection with this incident?

21 MS. MARTIN: Objection, calls for a legal
22 conclusion.

23 JUDGE SEYER: Sustained.

24 BY: MS. FIELDS JOHNSON

25 Q. Based upon your investigation, did

1 Ameren act reasonably in responding to the situation?

2 A. Yes.

3 Q. Let me just make sure I don't have
4 any further questions. So there was testimony with
5 regard to the electrician's call. Does Ameren
6 Missouri have a special line for electricians to call
7 in on?

8 A. Not to report a service order issue,
9 no.

10 Q. So they report -- they call in on the
11 same line that customers would call in on?

12 A. That's correct. And part of my
13 investigation was to review all the call records.
14 And the call that came in from the electrician did
15 come in on our 1-800-552-7583 general customer
16 service number.

17 Q. And with regard to the call that the
18 Boyles made, if they had stayed on the line would a
19 customer service representative come on?

20 A. Yes.

21 Q. Okay. I think that's all I have.

22 JUDGE SEYER: All right. Any
23 cross-examination by Staff?

24 MS. KERR: Yes. Thank you.

25 EXAMINATION CONDUCTED

1 BY: MS. KERR

2 Q. Customers rely on Ameren to safely
3 deliver their electric service, correct?

4 A. Yes.

5 Q. And they -- they're not expected to
6 inspect or test their conditions outside their home?

7 A. No.

8 Q. They rely on Ameren to do that, --

9 A. Yes.

10 Q. -- correct? Okay. They don't --
11 customers don't have a duty for lines and conductors
12 outside their homes or inside their homes, do they?

13 A. I'm not an engineer or electrician so
14 I don't know the details. But I do know that there
15 is a certain component of customer owned equipment in
16 related -- you know, relating to providing service.
17 But -- so I guess without knowing specifically. In
18 general, if you're talking about lines, I would say
19 probably not.

20 Q. Okay. Thank you. But Ameren owns
21 and is responsible for the neutral conductor?

22 A. Yes. To my understanding.

23 Q. Only Ameren could take care of the --
24 could put the power back on, the electrician
25 couldn't, right?

1 A. From my understanding, that's
2 correct. However, I do have additional witnesses
3 that would probably be better suited to answer those.

4 Q. Okay. I don't have any other
5 questions. Thank you.

6 JUDGE SEYER: All right. Thank you. Ms.
7 Martin, do you have any questions?

8 MS. MARTIN: Yes, I do.

9 EXAMINATION CONDUCTED

10 BY: MS. MARTIN

11 Q. So you said that Ameren's first
12 interaction with the customer was the 14th; is that
13 correct?

14 A. For this particular incident, yes,
15 that's correct.

16 Q. Yes. And -- and that interaction is
17 not including the automated phone calls that they had
18 made the day prior? This is -- when you speak
19 interaction that isn't technically true because they
20 did interact with Ameren --

21 MS. FIELDS JOHNSON: I object to this line
22 of questioning.

23 BY: MS. MARTIN

24 Q. -- with a person?

25 MS. FIELDS JOHNSON: Characterization of

1 whether or not what my client testified is true.

2 JUDGE SEYER: Well, she can -- I'm going
3 to --

4 MS. FIELDS JOHNSON: It's argumentative.

5 JUDGE SEYER: I'm going to overrule the
6 objection. You can answer that question.

7 THE WITNESS: So what I will -- what I
8 will say is that we only can obtain information for
9 calls that have actually been made to the company.
10 So our records would not record anyone that -- any
11 calls that came in that did not make it -- where the
12 customer did not choose to either, you know, report
13 an issue or speak to a representative and did not
14 actually make it through that initial you've called
15 and you hear -- start hearing a recording. Any of
16 those calls that are like hung up on before they are
17 made we can't consider those a call because we've got
18 no way to record those or know about them, so...

19 BY: MS. MARTIN

20 Q. And you said that you worked in
21 customer service for 14 years?

22 A. Seventeen. Well, seventeen years,
23 yeah.

24 Q. Well, numbers are hard. There's a
25 reason that I'm a lawyer. So had -- have you ever

1 dealt with situations where there was a customer who
2 was stressed out by something occurring in their home
3 and was maybe less patient than otherwise?

4 A. I have seen that in life in general,
5 yes. I completely understand where you're going.

6 Q. So is it -- so there's nothing to
7 indicate perhaps if there are customers -- with
8 Ameren to indicate if a customer attempts to call and
9 does not actually make it to the interaction stage?

10 A. That's -- that would be correct, yes.

11 Q. Okay. So if there is someone who is
12 in distress due to issues with their home and they're
13 trying to call and they can't figure out the
14 automatic line there's nothing that will indicate,
15 hey, they've -- you've had a couple of calls from
16 this person?

17 A. That's correct.

18 Q. Okay. And you -- Ameren -- when did
19 Ameren first find out about this formal complaint?

20 A. Without looking at an exhibit I'm not
21 certain but I think it was possibly -- it was late --
22 late last fall.

23 Q. Okay. And was it before or after
24 Staff's investigation was conducted?

25 A. So are we talking about the informal

1 complaint or the formal complaint?

2 Q. The formal complaint.

3 A. So the formal complaint -- so we
4 receive notice of a formal complaint once it's been
5 filed then one of our attorneys enters their
6 appearance. So I would be aware of it then before
7 the staff complaint was -- or the staff report was
8 filed because, you know, based on the procedural
9 schedule that comes down, you know, a month or two
10 afterwards, I think.

11 Q. So when you were asked earlier about
12 the normal staff data requests that are sent that you
13 may have been able to provide more information for,
14 you could still provide that information without
15 those data requests, correct?

16 A. To staff or the customer?

17 Q. The staff. While they are making
18 their investigatory -- while they are investigating
19 the incident? There's nothing that prohibits Ameren
20 from contacting staff to clarify, hey, we read these
21 things in the formal complaint and we want to make
22 sure that you are aware of these other situations?

23 A. Based on my experience with handling
24 and investigating informal complaints, we provide our
25 company answer and our response and -- so from my

1 experience that is not how we would normally handle
2 this. We would respond to data requests as they came
3 in.

4 Q. Right. But is there anything that
5 prevents Ameren from doing this?

6 A. If we were -- if an informal request
7 came in, absolutely we would, you know, be able to
8 provide anything that was asked of us.

9 Q. Or even if there is a formal request
10 but you see that it is mischaracterizing the
11 situation, you could provide that information without
12 being asked?

13 A. Well, I think -- I don't know that
14 that is something that would normally be done
15 because --

16 Q. But is there anything that prohibits
17 it?

18 A. As far as I'm aware there is nothing
19 that would prohibit that, no.

20 Q. Okay. Give me one moment. Can you
21 pull up Exhibit 101 for me?

22 A. Yeah. I've got it.

23 Q. Thank you. You stated earlier that
24 you believe from your investigation that the neutral
25 line was damaged due to animal -- an animal being an

1 animal. At the bottom of Exhibit 101C, the first
2 page it says, "Equipment details. Equipment SVC
3 damage code burned." What does that mean?

4 A. I will defer that question to be
5 answered by our line troubleman who's here as a
6 witness.

7 Q. Okay. And again, with those colored
8 comments it says, "Power out to part of the
9 residence, broken neutral going into the home and
10 electrician states very dangerous." Did -- do you
11 know anything more beyond the electrician states very
12 dangerous?

13 A. These -- and I did listen to the call
14 where this was reported. So this is -- the caller
15 comments are the ones -- this is what was entered
16 from the customer service rep who spoke with the
17 electrician.

18 Q. Uh-huh.

19 A. So obviously it's paraphrased. But
20 without having the call as part of the exhibit I
21 don't recall exactly what additional details were
22 shared.

23 Q. Okay. So is -- it is a situation
24 that is very dangerous. What are all of the
25 verification and investigation steps that Ameren

1 believes a consumer should take before -- to -- in
2 order to protect themselves besides buying the whole
3 home surge protector?

4 A. Can you repeat that question?

5 Q. What are the steps that Ameren
6 believes customers should take besides buying a whole
7 home surge protector to protect themselves from very
8 dangerous situations that result from damaged neutral
9 lines that they are not in control of?

10 A. Well, I will say that animals or
11 pests -- I mean, oftentimes animals and pests can be
12 very damaging to homes and electrical equipment. So
13 I don't know if there -- I mean, are you asking if --
14 what we would do on a -- what information should be
15 given to the customer or the caller on the call or
16 are -- in general, I guess --

17 Q. What is the expectation that Ameren
18 has for its customers to protect their home besides
19 getting a whole home surge protector --

20 A. I'm not --

21 Q. -- to prevent stuff --

22 A. I'm not aware of any.

23 Q. Is there -- and you might not be able
24 to answer this. But is there any sort of indicator
25 when a neutral line is damaged, as occurred in this

1 situation, or is it just when someone calls in to
2 say, hey, your neutral line is damaged and it is
3 destroying this person's property?

4 A. I am not aware of there being any
5 indicators that a neutral line is potentially
6 damaged. We do have a witness that's going to be
7 coming up later that will kind of give a lot more
8 details about what our line inspection process is and
9 what information we will determine through a drone
10 inspection or other type of inspection if there is
11 damage to the line. But, you know, I wish I had my
12 computer in front of me because I'd like to pull up
13 our website. Because I do know that we do have
14 information -- educational information on our
15 website. But as to whether it's specific to this
16 type of an issue or not, I can't talk to that right
17 now.

18 Q. Okay. And so there's no -- there's
19 no sort of indicator that a neutral line that a
20 consumer would not be able to control, only Ameren
21 controls and that fix that is damaged?

22 A. No. From what my understanding --
23 especially if it was an animal that chewed through it
24 like there, that line could look perfectly fine the
25 morning of and then a couple of hours later a darn

1 squirrel comes down the line and causes the damage.
2 So I don't believe there would be any indication that
3 there was potentially going to be animal contact on
4 that line later.

5 Q. Okay. So -- but Ameren -- there is
6 -- I'm just trying to -- and I do apologize, I know
7 I'm kind of asking around the question. But Ameren
8 has nothing to notify it other than a consumer if the
9 -- a line that it controls is damaged?

10 A. Well, like I mentioned, we do line
11 inspections.

12 Q. Right.

13 A. We do a lot -- there's a lot of due
14 diligence that goes into play to ensure that our --
15 that our equipment is, you know, running and
16 operating the way that it should.

17 Q. So -- okay. I'm -- because when you
18 think about with an AMI meter it -- every 15 minutes
19 you're getting information, it'll help find leaks,
20 you know, it'll warn the consumer.

21 MS. FIELDS JOHNSON: Your Honor, I'm going
22 to object to this line of questioning as relevant.

23 MS. MARTIN: I'm --

24 MS. FIELDS JOHNSON: AMI meters?

25 MS. MARTIN: The AMI meter is not the

1 question. I'm trying to -- what I'm trying to get to
2 is you are able to notify customers that there's
3 damage to infrastructure in their home but there's
4 not any sort of indicator to Ameren if there is
5 damage related to the property that they control such
6 as the neutral line unless --

7 MS. FIELDS JOHNSON: I'm not sure that I
8 heard a question.

9 JUDGE SEYER: Well, actually I think this
10 question has been answered.

11 MS. MARTIN: Yeah. That was just -- I was
12 trying to parse it out in my head, so...

13 JUDGE SEYER: Okay. So you don't need to
14 answer that question.

15 MS. MARTIN: Yeah.

16 JUDGE SEYER: I'll sustain that objection.
17 Do you have further questions?

18 MS. MARTIN: No. Thank you so much.

19 JUDGE SEYER: All right. Mr. Boyle, do
20 you have any questions?

21 MR. BOYLE: Yes.

22 JUDGE SEYER: Okay. Go ahead.

23 MR. BOYLE: We both do. Do you want to
24 start out?

25 EXAMINATION CONDUCTED

1 BY: MS. BOYLE

2 Q. You said that Genesis AI is -- that
3 answers the phone?

4 A. No, ma'am. No, ma'am.

5 Q. Well, what is -- what is -- what was
6 the -- I thought I heard Genesis?

7 A. I mentioned that our phone system is
8 -- Genesis is the name of the phone system which --

9 Q. Isn't that an AI type of --

10 A. No, ma'am. I mean, I don't know if
11 Genesis is AI. But our phone system is not a Genesis
12 AI platform.

13 Q. Okay. Well, could it be that, you
14 know -- you're not going to deny that your -- that
15 your phone system is automated, correct?

16 A. We do have an interactive voice
17 response unit which handles all incoming calls to
18 best direct you to the appropriate line for whatever
19 type of issue you're calling in about.

20 Q. So if a customer kept saying
21 representative, representative, wouldn't a
22 representative eventually come on?

23 A. Honestly I don't know if that is the
24 correct way to get to a representative. But -- I
25 can't testify to whether or not saying representative

1 when you call the 1-800 number will get you to a
2 representative or not.

3 Q. I mean, if you're listening to all
4 the prompts and they don't match what you're wanting
5 and then you say representative, wouldn't it
6 eventually take you to a representative?

7 A. I don't know that.

8 Q. Okay. And you answered the question
9 about the electrician. Although the electrician did
10 tell me he had a special number, there is no special
11 number?

12 A. There is no special number.

13 JUDGE SEYER: Hold on. Hold on. I
14 believe that's already been in the record. So I'm
15 going to overrule that objection.

16 MS. BOYLE: Okay.

17 BY: MS. BOYLE

18 Q. And you said -- were you person who
19 originally reviewed our insurance claim through
20 Brentwood Services?

21 A. No, ma'am.

22 Q. Okay. Can you answer this question?
23 I'm looking at our paperwork and we sent it in on --
24 we signed it and sent it in on October 15th of 2024
25 and our rejection letter came back on October 25th of

1 2024. So you have to think of the lag time, oh, it
2 gets sent out and then it has to come back. Do you
3 think that a really thorough investigation can be
4 carried out in like a matter of two or three days?
5 Especially from Tennessee. Kaylee Ellis, who I
6 talked to, she said she was from Tennessee.

7 And originally when we filed we were told
8 to keep our motor, everything 'cause they said that
9 they would be sending an adjuster out to our home,
10 which never happened, they never came out. We just
11 got the rejection letter ten days after we sent the
12 claim that we worked really hard on and sent to
13 Brentwood Services and then ten days later we got a
14 rejection letter. Do you really think a thorough
15 investigation can be carried out in two or three
16 days, especially without visiting the site? 'Cause
17 nobody ever came to our house, nothing, we just got
18 the rejection letter.

19 MR. BOYLE: Nobody asked for any further
20 information either.

21 THE WITNESS: Again, Brentwood Services is
22 a third-party claims administrator, they --

23 BY: MS. BOYLE

24 Q. They work for you?

25 A. Correct, correct. So from my

1 experience, yes, I do believe that that is an
2 appropriate amount of time for a thorough
3 investigation, from my opinion.

4 Q. Okay. Okay. And you were talking
5 about the -- I don't know if you're going to be able
6 to answer these questions or if it's the engineer.
7 Do you happen to know how frequently Ameren comes out
8 and inspects lines in general?

9 A. I do know that high level but we do
10 have a witness that is going to speak to that.

11 Q. Okay. And can you answer this as a
12 customer rep. What does Ameren do to protect
13 someone's home from the possibility of a damaged
14 neutral power line, what responsibility do you take?

15 A. We maintain our lines and do
16 inspections to ensure that if there's any corrosion
17 or frayed lines. Again, this is high level. This
18 will be a better question for our -- you know, one of
19 our future witnesses. But, you know, we do our due
20 diligence to make sure that the lines are in good
21 shape, in good working operating order.

22 Q. I mean, how strong are those lines?
23 Like what are they made of?

24 A. I'm sorry, I definitely can't answer
25 that question.

1 Q. You don't know that, okay. So in
2 regards to the animal, wouldn't there be some
3 evidence of a dead animal? Because the minute they
4 got through the line they're not just gonna run away.
5 Wouldn't there be a dead squirrel, a dead chipmunk, a
6 dead bird? Wouldn't we see evidence of that?

7 A. Again, I'm going to defer to the
8 experts for this. But from my understanding, if
9 you're not grounded, there's no potential --

10 Q. What do you mean grounded?

11 A. -- contact.

12 Q. What do you mean grounded?

13 A. So again, I'm sorry, I'm not the best
14 person to answer this. But from my understanding if
15 you -- if an animal is on a line and doesn't make
16 contact with another surface in addition to the line
17 then there wouldn't be that potential for the animal
18 being electrocuted. But again, please definitely
19 refer to someone with more electrical knowledge than
20 I do.

21 Q. Okay. And then you or Carla one were
22 referring to the fact that there was a power outage
23 stated. But down here on Exhibit 101C it says no
24 outage found. Do you see it? It says, "Order
25 details" and it says, "Status restored. Cause, no

1 outage found." So --

2 A. Yes, I see that.

3 Q. If -- if someone thought that -- they
4 saw that according to Ameren they were receiving
5 power, do you -- I mean, does that -- wouldn't a
6 person probably come to the conclusion that the
7 problem was within their home so they would call in
8 an electrician, a licensed electrician to come fix
9 the problem?

10 MS. FIELDS JOHNSON: So I'm going to
11 object to that question as calls for speculation.

12 JUDGE SEYER: I'll sustain the objection.

13 BY: MS. BOYLE

14 Q. Could a normal just Joe Schmo,
15 anybody on the street, somebody who doesn't know what
16 a neutral power line is, would they be able to
17 diagnose that problem?

18 MS. FIELDS JOHNSON: Again, I'm going to
19 -- same objection. That calls for speculation.

20 JUDGE SEYER: I'll sustain the objection.

21 MR. BOYLE: I have a few more questions
22 too.

23 EXAMINATION CONDUCTED

24 BY: MR. BOYLE

25 Q. So your testimony is that a squirrel

1 -- we mentioned that there are two lines. The
2 wildlife took the time to break both lines?

3 A. From my understanding in speaking to
4 the service technician who was out there, yes.

5 Q. If you're not qualified, we'll just
6 keep asking these questions. So yes, a squirrel did
7 that?

8 A. From my understanding, yes.

9 Q. Is there video proof of that?

10 A. From my understanding, no, we don't
11 have video proof of the damage that occurred.

12 Q. Okay. We'll ask some more questions.
13 Do you have a whole home surge protector?

14 MS. FIELDS JOHNSON: Objection. That
15 question is irrelevant.

16 JUDGE SEYER: Sustained.

17 MR. BOYLE: Probably not.

18 BY: MR. BOYLE

19 Q. And if you can answer these. When
20 was the last inspection?

21 A. I will definitely defer. We have
22 that information available from a witness.

23 MR. BOYLE: All right.

24 MS. BOYLE: I have a question.

25 EXAMINATION CONDUCTED

1 BY: MS. BOYLE

2 Q. When you're -- you know, when someone
3 moves into their home and new power is established,
4 you know, do you guys give the homeowners information
5 about all of the possibilities of these things that
6 could happen as well as a copy of the tariff and
7 information on where they could get a home surge
8 protector system, do you give that to people when
9 they first move in and set up power in their home?

10 A. We do have information that we share
11 with new customers. There is a lot of different
12 details. Some of it is actually in the commission
13 rules, some information that we share with new
14 customers. But in addition to that we also share a
15 lot of helpful information through different
16 communications to customers. As to the level of
17 detail for that specific information, I don't have
18 that here. But we do share information, yes.

19 Q. I mean, is it like a written letter,
20 is it a pamphlet, is it --

21 A. We have --

22 Q. -- referring to a website? I mean,
23 what kind of info, where?

24 A. We have -- our communication is
25 shared with our customers in many different platforms

1 and formats. Some of it -- there is -- like I said,
2 there are some required information that we share
3 with new customers and that does come out in the form
4 of a pamphlet.

5 Q. What -- like what?

6 A. And it's a letter that's mailed.

7 Q. An example of one thing?

8 A. So would do mailings, we do mailings.
9 We also share information through emails to our
10 customers.

11 Q. I know. But I'm asking what some of
12 that -- can you give an example of a piece of
13 information that's in that for a customer?

14 A. That's in our new customer welcome
15 packet?

16 Q. Uh-huh.

17 A. Yes, I can certainly. We share
18 details about what to do if you have a bill
19 adjustment and we share details on -- there's --
20 you're putting me on the spot here and I'm drawing a
21 blank. I mean, I've worked on --

22 MS. FIELDS JOHNSON: And I'm just going
23 to, while she's thinking, interject an objection as
24 to whether or not this testimony is relevant.

25 JUDGE SEYER: Well, yes, I think -- the

1 main information you're seeking, Ms. Boyle, is
2 whether there's any -- whether a new customer is
3 informed of the potential need to buy a whole home
4 surge protector and I think she's already answered
5 that. So I'm going to sustain that objection and the
6 witness does not have to answer that question.

7 EXAMINATION CONDUCTED

8 BY: MR. BOYLE

9 Q. Do you know for how long you've been
10 sending that information for a new customer because
11 we've been there for 30 years?

12 A. Correct. I do not know prior -- I
13 know it's been at least eight or nine years since
14 I've been in the regulatory space.

15 Q. Okay. Is a whole home surge
16 protector 100 percent preventative?

17 A. I can't speak to that.

18 MS. FIELDS JOHNSON: Well, I'm going to
19 object. I think that's outside of the scope of -- I
20 think it calls for an opinion and I think it calls
21 for expert testimony that this witness isn't here to
22 provide.

23 MR. BOYLE: Okay. We'll ask later.

24 BY: MR. BOYLE

25 Q. How soon does damage occur after the

1 neutral line breaks?

2 A. I don't have that type of
3 information.

4 Q. We're just making sure we get an
5 answer today, eventually.

6 MS. BOYLE: We know.

7 MR. BOYLE: We'll ask some of these
8 questions later. Let's see. Hang on.

9 BY: MR. BOYLE

10 Q. What percentage of -- you said there
11 are some claims that you approve and some you don't
12 approve. What percentage of claims are approved
13 typically over the course of a year?

14 A. I don't have that information, I'm
15 sorry.

16 Q. All right. For another time. And we
17 kind of indicated this earlier but if -- you talked
18 about how our claim was incomplete in some manners.
19 We weren't told that. We heard this now today but we
20 weren't told that when we got a rejection after a
21 couple of days. Is there a reason that's not told?

22 A. I did not share that information,
23 sir. I was not aware that your claim was not
24 complete, your damage claim request.

25 Q. And last question. Do you have proof

1 of the electrician's call that came in?

2 A. Yes, I do.

3 Q. Okay. All right. Okay. No further
4 questions at this time.

5 JUDGE SEYER: All right. Thank you, Mr.
6 Boyle. Are there questions from the commissioners?
7 Chair Hahn.

8 CHAIR HAHN: Good afternoon.

9 THE WITNESS: Afternoon.

10 CHAIR HAHN: As I was listening to Ms.
11 Boyle's testimony she testified that she had
12 attempted to call Ameren two times earlier in the day
13 and had been I think basically sent to a switchboard.
14 What are the options on the switchboard and how do
15 you actually reach a person?

16 THE WITNESS: That is a great question,
17 Chair Hahn, and I wish I had it with me but I don't.
18 So high level I know that, you know, you're asked if
19 you're reporting -- if it's an emergency, that's the
20 first prompt that you get. If you're reporting a
21 power outage I think is the second. But you're given
22 options if you're wanting to pay your bill, if you're
23 wanting to talk about a service issue. But I don't
24 have that in front of me so I need to probably call
25 in and write them all down so I know.

1 CHAIR HAHN: Yeah. I think it might be
2 helpful to save several hours potentially and not
3 knowing exactly how the lines work trying to think
4 about what could have happened. But it's impossible
5 to know.

6 THE WITNESS: Yeah.

7 CHAIR HAHN: So appreciate that.

8 JUDGE SEYER: Commissioner Coleman.

9 COMMISSIONER COLEMAN: Thank you, Judge.
10 All right. Thank you for that information because
11 the question that I would have, similar to Chair
12 Hahn, is is there an option that is representative
13 eventually gets on the line?

14 THE WITNESS: I do believe so. I do
15 believe that if you hit zero you will get to be
16 routed to a customer service representative. But
17 again, Commissioner Coleman, I apologize, I didn't --
18 I wasn't prepared to answer that question today.

19 COMMISSIONER COLEMAN: My next question
20 would be regarding the ongoing topic of the whole
21 home protection system. And Mrs. Boyle asked if --
22 what information you give customers or new customers
23 relative to different items. I remember the 2021
24 decisions made by the Public Service Commission
25 concerning the application that Ameren made requested

1 for -- let me see which exhibit that was. Exhibit 2,
2 when the PSC rejected Ameren's surge protection
3 program request.

4 So my question is does Ameren assume that
5 every person that's purchasing a home or renting a
6 home knows what a home -- whole home protection surge
7 protection program is and does Ameren provide any
8 information or recommendation to customers that they
9 should have this installed or purchased?

10 THE WITNESS: So from my understanding
11 that we do not have literature that we would share
12 with customers related to a home -- I can never say
13 it either -- home -- whole home surge protection
14 unit. So to my knowledge that is not information
15 that we have available to share with customers.

16 COMMISSIONER COLEMAN: If I recall
17 correctly, in Ms. -- Ms. Fields Johnson's opening
18 statement, she noted that a whole home protection --
19 surge protection system would have -- and I'm
20 paraphrasing here -- offset this issue or kept this
21 problem from happening. Is that -- is that to be --
22 it sounded to me like that meant if the Boyles had
23 done due diligence, if they had this in place, this
24 problem wouldn't have happened? And my question is
25 is it the general -- is Ameren's position that I'm

1 hearing that, yes, a squirrel did this but it
2 wouldn't have mattered if they had done what they
3 needed to do? I'm trying to determine the
4 responsibility that Ameren is suggesting that the
5 Boyles have?

6 THE WITNESS: And Commissioner Coleman, I
7 think that's most likely why the statement in our
8 continuity of service tariff provision is such. That
9 unfortunately these things happen. You know, as a
10 homeowner myself I would hate for something like this
11 to happen. But I do think that there's an
12 expectation that certain things -- you know, we
13 cannot prevent damage from animals in all situations.
14 You know, we can in some but not all situations.

15 And so I do think that there is a certain
16 expectation that there is a customer responsibility
17 at some point to make sure that, you know, you do as
18 a homeowner what you can to help prevent these things
19 that are outside of our reasonable control. So I do
20 think that there is a certain expectation, as it's
21 stated in the tariff, that we can't guarantee, you
22 know, that there's never going to be anything that
23 happens. Of course we do our best to, you know,
24 ensure that there's reliable service uninterrupted at
25 all time. But so -- and that's kind of like even

1 with customer owned equipment. You know, like
2 customer owned equipment is, you know, the
3 responsibility of the customer, you know. But then
4 the company owned equipment is maintained by the
5 company.

6 COMMISSIONER COLEMAN: All right. And one
7 last question that may have to go to a different
8 witness. Was the Boyle's home the only one on the
9 neutral line that was affected?

10 THE WITNESS: From my understanding, yes.

11 COMMISSIONER COLEMAN: Okay. Thank you.
12 Thank you, Judge.

13 JUDGE SEYER: All right. And Chair Hahn,
14 you have another question or two?

15 CHAIR HAHN: Sorry. I stepped out for
16 30 minutes and so if I missed I can just watch the
17 recording but I don't want to miss my chance to ask a
18 question which is did the Boyles submit a -- like a
19 reimbursement request or a complaint and it was
20 denied? That's what I just gathered. And you do or
21 do not know the reasons for denial?

22 THE WITNESS: I do know the reason for
23 denial. It was denied for equipment failure that was
24 beyond the control of the company.

25 CHAIR HAHN: Okay. And that was a

1 complete denial including the cost for the
2 electrician to come and assess what was the cause?

3 THE WITNESS: Yes, that's correct.

4 CHAIR HAHN: Okay. Thank you.

5 JUDGE SEYER: All right. Is there any
6 follow up questioning by Staff?

7 MS. KERR: Yes. I just have a few
8 questions.

9 EXAMINATION CONDUCTED

10 BY: MS. KERR

11 Q. Do you receive data requests in every
12 case file?

13 A. In any formal complaint case file?

14 Q. Yes.

15 A. From my experience since I've been
16 doing this, yes, I have.

17 Q. Do you get the same number of data
18 requests in every case?

19 A. No.

20 Q. Was the additional information you
21 could have provided via DRs included in the record as
22 part of Ameren's response or answer in this case?

23 A. I'm nearly certain, yes.

24 Q. Okay.

25 A. Some of it -- well, I might need to

1 -- I don't know that everything that we've -- I'm
2 going to say without looking at it I'm not a hundred
3 percent sure, I'm sorry.

4 Q. Okay. Now, regarding the customer
5 service calls in your interactive voice response
6 system. When the calls drop off on the automatic --
7 or the automated service menu, they're -- you have
8 the recorded calls and -- the record versus the
9 recorded calls. On the repeat calls, the ones that
10 fall off, is there any kind of record of calls that
11 fall off of the repeat calls or is it just the ones
12 that actually get answered?

13 A. Let me make sure I'm understanding
14 this.

15 Q. I mean, is there any record of calls
16 that you get but don't get actually answered -- I
17 mean, don't get to a person?

18 A. So by repeat calls -- so we do offer
19 an option called virtual hold where a customer can
20 request a call back if there's a longer hold time and
21 they don't want to wait for the 10 or 15 minutes. Is
22 that what you're referring to? 'Cause we do have
23 records of those.

24 Q. If you call -- if you keep calling
25 and you get repeat -- you keep calling and you -- I

1 just want to know if there's a record of repeat calls
2 to the same number, if you have a record of that?

3 A. We would have a record of any call
4 that actually came through and shows a selection
5 through the IVR and, you know -- so yes, we would --
6 I mean, even if they called repeatedly, we would
7 have, yes, records of every single call that came in.

8 Q. Okay.

9 EXAMINATION CONDUCTED

10 BY: MS. JOHNSON

11 Q. Hi. This is Tracy Johnson from Staff
12 Counsel's office. Good afternoon, Ms. Krcmar. I'm
13 trying to lockdown the process here so thank you for
14 tolerating our questions. I definitely put Ms. Kerr
15 on the spot with my inquiry. So what I'm
16 specifically getting at is in a call center
17 environment with an interactive voice response system
18 typically, based on my knowledge, each call that is
19 placed to the service number is logged, there is a
20 call log, a record of that call from the number that
21 placed it.

22 And specifically in the IVR, when that
23 number fell out of the system. It's one of the ways
24 that you would do like business process review on
25 which options maybe don't make sense to customers or

1 are least used or that sort of thing. So the fact
2 that a repeat call was made from the Boyle's phone
3 number, from the same number multiple times in that
4 day even though they didn't select or go through the
5 menu option to get to a representative and have a
6 recorded call. There is a record of a repeat call
7 that fell out of the IVR system whenever the Boyles
8 chose to disconnect, right?

9 A. From my understanding -- and of
10 course I vetted this with the senior business analyst
11 that is -- you know, directly works with our IVR
12 there is no record of that as repeatedly double check
13 every single system. But from my understanding that
14 is not recorded within our system, so. But I
15 understand what you're saying. But from my
16 understanding we don't have a record of that.

17 Q. Okay. Do you think that there is a
18 technical expert who would have additional
19 information on the operation of your IVR above and
20 beyond what your functional service knowledge is to
21 provide that information in future cases?

22 A. Potentially yes. Potentially yes.
23 But I do think that they will probably say that
24 that's not functionality that we have. But yes.

25 Q. Okay. Do you have a business

1 protocol response for repeat calls that do make it
2 through the IVR system? Like does a secondary
3 customer service group follow up with repeat calls
4 from customers that come in over a period of days or
5 weeks?

6 A. There have been times in my
7 experience that we have done some follow up. As to
8 whether or not we're currently doing that, I can't
9 answer that.

10 Q. Okay. That's all I have. Thank you.

11 JUDGE SEYER: All right.

12 MS. KERR: I don't have any other
13 questions either.

14 JUDGE SEYER: Okay. Ms. Martin, do you
15 have any questions?

16 MS. MARTIN: Just two. So should be very
17 quick.

18 EXAMINATION CONDUCTED

19 BY: MS. MARTIN

20 Q. The first. You said that you give
21 new homeowners a lot of information regarding things
22 like -- but nothing regarding the whole home surge
23 protector?

24 A. That is correct.

25 Q. Okay. But have you ever -- so it

1 sounds, I think in -- sorry, Boyles, if I'm incorrect
2 -- that they have lived there for about 30 years?

3 MR. BOYLE: It will be 30 in August.

4 BY: MS. MARTIN

5 Q. So do you ever like resend
6 information, just educational information to people?

7 A. We do.

8 Q. Okay.

9 A. We sure do. Especially if we have an
10 email address on file. We share a lot of information
11 through email. But we do send bills. We've got --
12 you know, we've got bill messages, bill inserts. So
13 yes, we continually share information with our
14 customers.

15 Q. Okay. And are you -- in your
16 experience with -- in your 17 years customer service
17 experience, do you think that it is realistic to
18 expect homeowners to know, hey, I need to buy a whole
19 home surge protector or else this tariff provision is
20 going to come into play and my stuff can get damaged?

21 A. So from my experience this is
22 something that we would certainly educate customers
23 on as the opportunities came up. But, I mean, I
24 guess would -- is this something that we would tell
25 every customer about? Certainly not. You know,

1 obviously each call is kind of handled based on what
2 that particular inquiry is. So I guess it's hard to
3 answer.

4 Q. And this might not be a question for
5 you. But do you know how a whole home surge
6 protector works?

7 A. No.

8 Q. Okay. Well, do you know, is there
9 someone here that will be able to answer that
10 question?

11 A. Maybe. Yes, yes. I do believe so.

12 Q. Okay. Well, great. I will ask them.

13 JUDGE SEYER: All right.

14 MS. BOYLE: May I ask one question?

15 JUDGE SEYER: Ms. Boyle, go ahead.

16 EXAMINATION CONDUCTED

17 BY: MS. BOYLE

18 Q. So you said that you frequently or
19 infrequently, sporadically sent information to people
20 regarding issues like this, right? About -- about --
21 pamphlets or information about --

22 A. Yes.

23 Q. So you said if they have an email on
24 file?

25 A. We also use bill inserts.

1 Q. So wouldn't we be receiving that
2 since we've been at our residence for like 30 years,
3 wouldn't we be receiving stuff like that so we would
4 be made aware of stuff like that, we would know about
5 stuff like that?

6 A. Yes. So it depends on if you've
7 opted into certain communication with us. I'd have
8 to -- I don't -- without my computer here I can't
9 look up and look at your specific account
10 information. But yes, we do our best to communicate
11 with customers frequently.

12 Q. Okay. And one last question. Why
13 would it show up on our phone bill that we called but
14 you're saying it doesn't show up in your system?

15 MS. FIELDS JOHNSON: So that's a question
16 that calls for speculation.

17 JUDGE SEYER: Well, I'm going to overrule
18 that objection because I think she can answer that.
19 She has addressed what her understanding is of what
20 that system can do or what it logs. So go ahead and
21 answer the question.

22 THE WITNESS: So from my understanding, if
23 you call -- I mean, even if I called, you know, my
24 cell phone company and, you know, the prompts -- you
25 know as soon as that call connects and I get, you

1 know, this is Cricket, I think that that would be
2 recorded as a call on my personal call log. But I
3 also know that if I didn't, you know, select what I
4 wanted and actually got to talk to someone that in my
5 mind I wouldn't -- from my -- in my opinion I
6 wouldn't say, oh, I talked to Cricket on this date.
7 I mean, I attempted to contact them is what I would
8 think, you know, that I attempted to contact the
9 company that's why it shows on my call log. But if I
10 -- unless I spoke to someone and had an actual
11 interaction with them I personally wouldn't consider
12 that a call.

13 BY: MS. BOYLE

14 Q. Would you consider listening to
15 automated prompts a connection?

16 A. Probably not unless I received -- I
17 guess it depends. I guess it depends on, you know --

18 Q. A minute long phone call where you're
19 connected with an automated system that's asking you
20 to interact with the prompts?

21 A. I would say that unless I -- in my
22 opinion, unless I actually knew that I reported that
23 issue, I wouldn't consider that contact with the
24 company. And so, you know, from my understanding you
25 didn't report anything to the company. We didn't get

1 that report until your electrician called in the
2 evening, so...

3 Q. Okay.

4 JUDGE SEYER: Mr. Boyle?

5 MR. BOYLE: This will be very brief.

6 JUDGE SEYER: Go ahead.

7 MR. BOYLE: Very brief.

8 EXAMINATION CONDUCTED

9 BY: MR. BOYLE

10 Q. But as we talked about a couple hours
11 ago this is a very harried situation. So she called.
12 And it is on the handouts over there and I did
13 provide Ameren's counsel of my phone records a month
14 ago where it shows that our first contact was not --
15 according to phone records, our first contact was not
16 on the next day, it was done by our electrician,
17 that's why I wanted to follow up. And that's why --

18 MS. BOYLE: Me.

19 MR. BOYLE: Also you.

20 BY: MR. BOYLE

21 Q. By our electrician who was standing
22 next to us that evening so that was also a contact,
23 not just the next day. Between our two phones our
24 phone records show that we called in four times
25 during the day. So just to clarify.

1 A. And I understand. But again, if
2 there wasn't a report made --

3 Q. That's fine. I'm just clarifying so
4 it's on the record and you have a copy of our phone
5 records.

6 JUDGE SEYER: All right. Is there any
7 re-direct by Ameren?

8 MS. FIELDS JOHNSON: Just a couple of
9 quick questions.

10 EXAMINATION CONDUCTED

11 BY: MS. FIELDS JOHNSON

12 Q. So we've had a lot of testimony about
13 phone calls and when they're recorded and when
14 they're logged and whether they're repeat calls and
15 when they're logged. Just so that our record is
16 clear. With regard to phone calls, if a person does
17 not make contact with Ameren we don't -- Ameren has
18 no record of the phone call, correct?

19 A. Correct. Had to think about that,
20 I'm sorry.

21 Q. That's all I -- that's actually all I
22 had.

23 JUDGE SEYER: All right. Okay. Ms.
24 Krcmar, thank you for your testimony. You're free to
25 step -- step down. And we will break for lunch.

1 Let's reconvene at two o'clock. Going off the
2 record.

3 (At this point in the proceedings, a
4 recess was taken.)

5 JUDGE SEYER: Ms. Johnson, call your next
6 witness.

7 MS. FIELDS JOHNSON: I'm sorry, before we
8 call our next witness. I did want to clear something
9 up. It's in follow up to our previous witness
10 testimony.

11 Given the questions that Chair Hahn and
12 the questions that Staff had -- Staff counsel had
13 regarding phone calls and then the questions that
14 Chair Hahn had regarding customer response options,
15 we're going to go back and look at both of those and
16 if there's any additional information that we can
17 offer we'll submit that separately after this
18 hearing.

19 JUDGE SEYER: Submit it as an exhibit?

20 MS. FIELDS JOHNSON: It could be an
21 exhibit.

22 (Inaudible.)

23 MS. FIELDS JOHNSON: Yeah. Would you want
24 it in an exhibit?

25 JUDGE SEYER: I would want it in the form

1 of an exhibit and to give the parties a few days to
2 file any objection to it.

3 MS. FIELDS JOHNSON: So at this time we
4 would call Michael Ponder.

5 JUDGE SEYER: All right. Mr. Ponder,
6 would you raise your right hand, please.

7 * * * * *

8 MICHAEL PONDER,

9 The witness, having been first duly sworn
10 upon his oath, testified as follows:

11 * * * * *

12 JUDGE SEYER: Thank you.

13 EXAMINATION CONDUCTED

14 BY: MS. FIELDS JOHNSON

15 Q. Mr. Ponder, can you state your name
16 and spell your name for the record?

17 A. Michael Ponder, M-I-C-H-E-A-L,
18 P-O-N-D-E-R.

19 Q. And who are you employed with?

20 A. Ameren Missouri.

21 Q. And how long have you been employed
22 with Ameren Missouri?

23 A. Seven years.

24 Q. And what's your current position
25 with --

1 A. I'm a contractor services supervisor.

2 Q. Okay. And what are your general
3 responsibilities with that role?

4 A. So I manage and supervise multiple
5 contractors to do all facets of work for Ameren
6 across the state. One of which being our CDIS
7 inspection or our circuit and device inspection and
8 that's for the entire state of Missouri. I also
9 manage contractors that do underground and overhead
10 construction throughout central and northern
11 Missouri.

12 Q. Okay. And through your job, are you
13 familiar with Ameren Missouri's inspection process
14 for utility lines and poles?

15 A. Yes.

16 Q. Okay. Does Ameren Missouri have a
17 regular inspection program for its utility lines?

18 A. Yes.

19 Q. Okay. And could you briefly describe
20 how that inspection program works?

21 A. So we have two different types of
22 inspections. One is a circuit patrol or visual
23 inspection that's done by drones. That's performed
24 every four years on urban circuits and every six
25 years on rural circuits. And then we also have

1 what's called a ground line intrusive inspection.
2 It's done by our contractors on foot in the field and
3 that is done every 12 years on every circuit.

4 Q. Okay. And I'd like it spend some
5 time focused on the drone inspection process. So if
6 you could briefly explain what the purpose of that
7 inspection is?

8 A. So it's kind of as it sounds, it's
9 done by drone. So it's flown by unmanned aerial
10 units. They fly and take pictures of all of our
11 facilities and general areas based on the circuitry.
12 It's used to identify problems, whether that be
13 different types of damage or clearance issues, things
14 of that. And then that is reviewed and turned in to
15 either repair, replace calls.

16 Q. Okay. So with regard to the photos
17 that are taken by the drones. Explain -- so is it
18 Ameren employees that are taking those photographs --
19 or the drones take the photographs. Do Ameren
20 employees control what happens with the photographs?

21 A. Yes. So Ameren employees are flying
22 the drones and capturing the images through the
23 drones. And then they also house all that
24 information and transfer it to our contractors for
25 review.

1 Q. Okay. And with regard to those
2 images, what are they generally -- where are they
3 stored?

4 A. So Ameren has a system that they're
5 all stored in.

6 Q. Okay. So they're housed --

7 A. They're housed with Ameren.

8 Q. Okay. And then the contractors that
9 you all use to review those images, what are they
10 looking for?

11 A. So it's a very wide array of issues
12 that we have laid out for them. There's a lot of
13 criteria that goes into it, anywhere from the
14 condition of the conductor itself, the condition of
15 the connections to the poles, our insulators, our
16 transformers, down guys. Again, it's pretty well
17 every aspect of our facilities.

18 Q. Okay. And then are there company
19 established criteria that's used to determine if any
20 repairs need to be done --

21 A. Yes.

22 Q. -- based on those photographs?

23 A. So we have a set of guidelines that
24 we have I believe submitted to the PSC. And that's
25 all reviewed usually on a yearly basis to see if

1 there's any site adjustments or changes that maybe
2 need to be made, mostly to the verbiage. And then
3 that's given to our contractors to use as a
4 guideline.

5 Q. Okay. And they're -- and is the
6 purpose of -- or at least part of the purpose of
7 their investigation to determine if there are repairs
8 that need to be made to the lines --

9 A. Yes.

10 Q. -- and poles?

11 A. Yes.

12 Q. Okay. And then I believe you
13 testified that with regard to urban circuits, those
14 are conducted every four years?

15 A. For the drone inspection, yes.

16 Q. And then if you could briefly explain
17 the -- how the ground line inspection works.

18 A. So again, the ground line's done by
19 inspectors that are through our contractor. That is
20 a foot patrol. And they actually go to each pole and
21 they do what's called sounding it with a hammer.
22 Basically they're hitting it to sound to see if they
23 hear any hollow or rotten wood. Then they also drill
24 it with a drill to check for the material that comes
25 out on the drill bit, whether that's dead or decayed

1 wood. They dig roughly 16 to 18 inches deep on each
2 pole and they also drill and check those. During
3 that time they treat our poles with some chemicals
4 that's supposed to help preserve the pole. And then
5 they also do a visual inspection of all the apparatus
6 from the ground up.

7 Q. And so if you could explain. If
8 there's some kind of a repair that's determined that
9 needs to be made from the drone inspection, how does
10 that process work?

11 A. So after our inspection company
12 reviews the photos and they find an item that fits
13 the criteria for repair or replacement that's then
14 submitted back over to Ameren in the form of what we
15 call Maximo, which is just an item that we use to
16 create work orders for our people. And then it fully
17 out -- lays out what is wrong, what the problem is,
18 basically what needs repaired or replaced. Then
19 those jobs are then divvied out to our district or
20 our contractors to make those repairs.

21 Q. And if there's something that's found
22 to be, you know, more -- less of a routine
23 maintenance issue but more of an emergent concern,
24 are those addressed differently?

25 A. Yes. So if there's an item that is

1 considered to be emergent, that is automatically
2 turned into a job, created into an email, sent
3 straight to the district as an emergency to be worked
4 as soon as possible.

5 Q. Okay. And would a broken neutral
6 line be something that would be considered emergent?

7 A. A broken neutral line would not.

8 Q. Okay. A broken hot leg, would that
9 be --

10 A. Yes.

11 Q. -- considered emergent?

12 A. That would be emergent.

13 Q. Okay. And if you could, could you
14 explain the difference between a neutral line and a
15 hot leg?

16 A. So a neutral line will help stabilize
17 some current but it does not have the direct current
18 running through it. The hot legs have direct current
19 through it and what is going to be the pur -- or the
20 cause of the direct outage if one should occur.

21 Q. Okay. And -- so the inspection
22 process that you described, is that routinely
23 followed by Ameren Missouri?

24 A. Yes.

25 Q. And is it part of Ameren's ordinary

1 business operations?

2 A. Yes.

3 Q. And are the inspection timelines, the
4 ones that you testified to, the four year for urban
5 drone inspections and six year for rural drone
6 inspections and 12 years for the ground line, are
7 those consistent with industry standards?

8 A. Yes.

9 Q. Okay. What are -- what information
10 are you using to formulate the opinion that that's
11 consistent with the industry standard?

12 A. So one is the cadence that we have
13 documented with the PSC that we have to -- that
14 pretty much dictates when and what we do with our
15 inspections. And then I've also attended some
16 conferences, one of which being this year with the
17 AWPA which is the American Wood Protection
18 Association and got to speak with multiple utilities
19 across the United States one of which being Duke
20 Energy. And our inspection cycle almost exactly
21 mimics theirs. And then I also got to speak with
22 some from the southern half of the United States.
23 And we actually do a little bit more than what they
24 do from what I've found out speaking with them. As
25 in those extreme wet conditions they may not drill

1 the poles to check for dead wood simply for the fact
2 they're afraid of water being able to infiltrate
3 those holes and causing more than what it is good.

4 Q. Okay. Are you familiar with the
5 inspection history regarding the line servicing the
6 Boyle's residence?

7 A. Yes.

8 Q. And did you review those inspection
9 records related to those lines?

10 A. Yes.

11 Q. And were those inspections conducted
12 as part of Ameren's regular inspection programs?

13 A. Yes.

14 Q. And was a drone or visual inspection
15 performed on the line servicing their residence prior
16 to September the 13th, 2024?

17 A. Yes.

18 Q. Do you know when that was done?

19 A. It was done in April of '24.

20 Q. Okay. And were photographs taken as
21 part of that inspection?

22 A. Yes.

23 Q. Okay. And what happened to those
24 photographs after they were collected?

25 A. They were again sent to our

1 contractor for review and basically found that there
2 were no repair or replace actions needed in that
3 location.

4 Q. Okay. So there were no repair or
5 replace actions that were needed?

6 A. No.

7 Q. Okay. So do you have the packet of
8 exhibits up there?

9 A. No.

10 Q. Okay. I'm going to give you that.

11 MS. FIELDS JOHNSON: If I may, your Honor.

12 (Inaudible.)

13 BY: MS. FIELDS JOHNSON

14 Q. And I'm going to draw your attention
15 to some photographs that begin with Exhibit, I
16 believe it's 104. So if you could turn to
17 Exhibit 104. And I'm showing you -- you're looking
18 at what's been marked as Exhibit 104. Do you
19 recognize that photograph?

20 A. Yes.

21 Q. Okay. And is this one of the
22 photographs that was generated as part of the Ameren
23 inspector process --

24 A. Yes.

25 Q. -- in April of 2024?

1 A. It is.

2 Q. Regarding the Boyle residence?

3 A. Yes.

4 Q. And is the photograph maintained in
5 the ordinary course of Ameren Missouri's business?

6 A. Yes.

7 Q. And is it a true and accurate
8 depiction of the area above and near the Boyle's
9 residence?

10 A. Yes.

11 Q. Okay.

12 MS. FIELDS JOHNSON: I would move for the
13 admission of Exhibit 4 -- I'm sorry, 104.

14 JUDGE SEYER: Yes, you may.

15 MS. BOYLE: May I object?

16 JUDGE SEYER: Yes.

17 MS. BOYLE: I'm gonna argue that the date
18 that these drone photos were taken -- our son goes to
19 Chaminade Preparatory School and he didn't start till
20 late August of 2024, that's why that red sign is in
21 the yard. So you're saying these photos were taken
22 in April of 2024?

23 THE WITNESS: According to the records in
24 our system.

25 MS. BOYLE: That's incorrect. Our son was

1 a student at Our Lady of Lords in University City
2 therefore he would not have a Chaminade sign in his
3 -- in our yard yet. That would happen in August
4 of 2024.

5 MS. FIELDS JOHNSON: I'm not sure what the
6 objection --

7 JUDGE SEYER: Okay.

8 MS. FIELDS JOHNSON: -- is.

9 MS. BOYLE: It's not an issue -- it's not
10 -- it's not an accurate -- or at least the date is
11 not matching with the photo.

12 JUDGE SEYER: All right. But wouldn't you
13 agree though that even if this -- even if this photo
14 were in fact taken in August and not April then that
15 would be an even closer date to the September -- I'm
16 sorry, yes, the September 13th date in question. So
17 it would be even more relevant to showing the
18 condition of the pole.

19 MS. BOYLE: Well, actually I'm going to
20 argue. Were all these photos taken in April?

21 THE WITNESS: I don't know the rest of the
22 pictures that are in here.

23 MS. BOYLE: Because there's a photo with
24 the top of the neutral line with two little like
25 silver --

1 JUDGE SEYER: Right.

2 MS. BOYLES: -- things on them.

3 JUDGE SEYER: I tell you what I will do.
4 I will reserve ruling on your objection and hold off
5 on making a decision on entering this into evidence
6 until after you've had the opportunity to
7 cross-examine the witness.

8 MS. BOYLE: Thank you.

9 BY: MS. FIELDS JOHNSON

10 Q. And with regard to Exhibit 104, are
11 you able to identify the hot -- the area where the
12 hot leg is in this photograph?

13 A. Yes. There's hot legs just under the
14 transformer in the picture going down to the
15 secondary.

16 Q. Okay. So you're going to have to
17 explain this to me. So the transformer, where in the
18 picture is the transformer?

19 A. So the transformer is the big white
20 round tub.

21 Q. And you said below that are --

22 A. They're hot legs that go from that
23 transformer to the wires underneath of that which are
24 secondaries. And then each wire triplex coming off
25 of that would be service drops going to the homes.

1 Q. Okay. I'm going to ask you to look
2 at Exhibit 105. And I'll ask you again. Is this a
3 photograph that was taken as part of the drone
4 inspection --

5 A. Yes.

6 Q. -- process? And to your knowledge,
7 when was this photograph taken?

8 A. According to our system, in April of
9 '24.

10 Q. And is it a photograph that's used in
11 the ordinary course of business for Ameren?

12 A. Yes.

13 Q. And does the photograph -- is it a
14 true and accurate copy of -- or depiction of the area
15 leading to the Boyle's residence?

16 A. Yes.

17 MS. FIELDS JOHNSON: So I'd also move for
18 the admission of Exhibit 105.

19 JUDGE SEYER: All right. And again, I
20 will assume that would be a similar objection and I
21 will hold off on ruling on Exhibit 105 -- as a matter
22 of fact, Exhibit 106 and 107, until after the other
23 parties have had the opportunity to cross-examine the
24 witness.

25 BY: MS. FIELDS JOHNSON

1 Q. So with regard to these
2 photographs --

3 MS. FIELDS JOHNSON: And so your Honor,
4 just so I'm clear, I have not moved to admit 106 or
5 107. I intend to. So do you want me to lay the same
6 foundation for that or are you...

7 JUDGE SEYER: Yes. I would recommend that
8 you do lay the foundation. And I do apologize for
9 getting kind of ahead of myself on that.

10 MS. FIELDS JOHNSON: No, that's fine.

11 BY: MS. FIELDS JOHNSON

12 Q. So I'm going to ask you to look at
13 Exhibit 106.

14 A. Yes, ma'am.

15 Q. And if you could testify regarding
16 whether or not that is a photograph of the lines that
17 are serving the -- servicing the Boyle's residence?

18 A. Yes.

19 Q. Okay. And to your knowledge, when
20 was that photograph taken?

21 A. The same timeframe, that April of
22 '24.

23 Q. Okay. And was this photograph
24 maintained in the ordinary course of Ameren
25 Missouri's business?

1 A. Yes.

2 Q. And is this a true and accurate copy
3 of the inspection photograph that was maintained by
4 Ameren Missouri?

5 A. Yes.

6 MS. FIELDS JOHNSON: So I'd move for the
7 admission of Exhibit 106.

8 JUDGE SEYER: So noted.

9 MS. BOYLE: May I object?

10 JUDGE SEYER: Again, Ms. Boyle, I
11 understand you're going to have the same objection to
12 all four of these exhibits and so I am not ruling on
13 those at this time. I'm going to wait and see what
14 kind of testimony comes as a result of the
15 cross-examination by the other parties and then I'll
16 make a ruling on those. But I am correct, am I not,
17 that you have the same --

18 MS. BOYLE: Yes.

19 JUDGE SEYER: -- objection, same --

20 MS. BOYLE: Well, I was actually going to
21 suggest that things look awfully green in people's
22 yards and stuff. We are in May at our house and we
23 certainly don't have the kind of green foliage that
24 I'm seeing in our neighbor's house, you know.
25 Usually in April it's still pretty cool out and

1 plants are starting to bloom. But certainly to me
2 this looks more like a late summer, early fall type
3 of foliage that I'm seeing.

4 JUDGE SEYER: Okay.

5 BY: MS. FIELDS JOHNSON

6 Q. I'm going to have you look at
7 Exhibit 107.

8 A. Yes, ma'am.

9 Q. And if you could tell us, is this a
10 photograph that was taken part -- as part of the
11 inspection -- same inspection process of the Boyle's
12 residence?

13 A. Yes. The identical picture as the
14 last.

15 Q. Is it? Okay. I don't need
16 Exhibit 107. So if you could explain what these
17 photographs generally depict?

18 A. So again, it's, you know, our single
19 phase primary coming up to what appears to me to be a
20 dead end pole along the street with at least three
21 service drops coming off of it feeding the residences
22 at the end of this line. From what I can see in a
23 picture version of it, everything appears to be in
24 good working order and solid contacts with no damage.

25 Q. Okay. So based upon your review and

1 now looking at these photographs and based upon the
2 inspection review that was conducted at the time that
3 the photographs were taken, there were no conditions
4 identified requiring corrective action at that time;
5 is that correct?

6 A. There were none.

7 Q. Okay. Are you aware that the
8 condition that existed on September 13th, 2024 that
9 required repair at the Boyle's residence was a broken
10 neutral and a broken hot leg?

11 A. That's -- from my understanding, yes,
12 that's what happened.

13 Q. Would either of those conditions be
14 -- if those conditions existed at the time that these
15 photographs were taken, would any of those conditions
16 be visible on any of these photographs?

17 A. Definitely the broken hot legs. I
18 believe on Exhibit 105. Which it's a much clearer
19 picture on a computer than it is on paper.

20 Q. So could you identify on this -- on
21 this picture where the broken hot leg would be if
22 you'd be able to see it?

23 A. I mean, according to what I can tell
24 it would be coming off of the transformer tub and
25 going down to the secondaries. You can see that in

1 other photos as well. I just believe that one, if I
2 remember correctly on the computer, is a much clearer
3 image.

4 Q. If there was a broken neutral line or
5 a broken hot leg visible in the inspection
6 photograph, how would that have been handled?

7 A. So normally if our drone operator
8 spots a broken wire they will immediately send that
9 over to our contractors as a problem. They won't
10 necessarily call it emergent. But then our
11 contractor will look at it per our criteria that we
12 give them. If it's a broken wire, especially an
13 energized conductor, then that's to be treated as an
14 emergency and sent out as such to our districts.

15 Q. I don't have any further questions.

16 JUDGE SEYER: And I don't know that you
17 formally offered Exhibit 107 but I assume you would
18 like to offer 107 as well?

19 MS. FIELDS JOHNSON: 107 is a copy of 106.
20 That's what I think I determined was that 107 was a
21 copy of 106. And so if that's the case I won't need
22 to --

23 JUDGE SEYER: Okay.

24 MS. FIELDS JOHNSON: -- admit that.

25 MS. BOYLE: It's not a copy. It's a

1 different photo.

2 JUDGE SEYER: Okay. But that's up to her
3 as what exhibits she would like to offer. So you're
4 not offering 107; is that correct?

5 MS. FIELDS JOHNSON: Okay. I'll go ahead
6 and offer 107 as well.

7 JUDGE SEYER: Okay. All right. Ms. Kerr,
8 any cross-examination on behalf of the Staff?

9 MS. KERR: Yes. Thank you.

10 EXAMINATION CONDUCTED

11 BY: MS. KERR

12 Q. So Ameren owns and is responsible for
13 maintenance and inspection of the neutral conductor,
14 correct?

15 A. To my knowledge, yes.

16 Q. And customers have no duty for the
17 lines and conductors outside their homes?

18 A. To my knowledge, no, they don't.

19 Q. They're not -- they're not expected
20 to inspect or maintain any part of the distribution
21 system?

22 A. No.

23 Q. They have no authority to repair or
24 maintain it, do they?

25 A. No.

1 Q. They rely on Ameren to safely deliver
2 the electrical service?

3 A. Yes.

4 Q. They're not expected to inspect or
5 test the voltage conditions inside or outside their
6 homes?

7 A. No.

8 Q. They rely on Ameren to do that,
9 right?

10 A. Yes. I'm not sure on the inside of
11 the home part. But on the outside, yes.

12 Q. Okay. Now, Ameren owns the neutral
13 conductor servicing the Boyle's home?

14 A. Yes.

15 Q. And Ameren's responsible for
16 servicing it and maintaining it, correct?

17 A. Yes.

18 Q. Okay. Now, we've talked about the
19 neutral conductor. Can you just explain just
20 generally what is a neutral conductor or neutral --
21 it's been called a neutral conductor, neutral line,
22 neutral wire.

23 A. So in a triplex, like in this
24 situation, the neutral is going to be the bare cable
25 that isn't -- doesn't have energized electric running

1 through it, it's more of a ground. So it's going to
2 stabilize the primary voltages running through those
3 wires in a ground function. I can't answer the exact
4 science behind it, I'm not a lineman. That would be
5 for the next witness. But I do know enough to say
6 those things.

7 Q. Okay. And it's located outside the
8 home on the -- is it on the wire or is it just part
9 of the wire?

10 A. It is part of the wire. I mean, it's
11 part of the triplex. So it's a twisted wire that has
12 two primaries usually and one neutral.

13 Q. Okay. And just generally, what is
14 its function?

15 A. I mean, again, it's used more as a
16 ground and a neutral is -- it kind of stabilizes the
17 primary.

18 Q. Would that be the next witness?

19 A. He would be able to explain it a lot
20 better than myself.

21 Q. Okay. Okay. I'll just wait. Is
22 there a known risk of neutral -- of neutral wire
23 failure?

24 A. I am unaware of that, yes our no.

25 Q. Okay.

1 MS. BOYLE: What was the question?

2 MS. KERR: Is this a known risk of neutral
3 conductor failure.

4 BY: MS. KERR

5 Q. You said there was other damage to
6 the electrical line to the Boyle's residence?

7 A. To my understanding, other than the
8 neutral, yes, there was a primary -- at least one
9 primary leg broke.

10 Q. Okay. And is -- okay. Is that one
11 of the lines that you were talking about in the
12 picture?

13 A. So it would be one of the black wires
14 that go into the triplex.

15 Q. Okay. So not only did the neutral
16 line break or there was a --

17 A. My understanding, yes. But Chris was
18 the one who was actually on-site in the field for the
19 repair.

20 Q. Okay. All right. I'll ask him. At
21 any rate, it's up to Ameren to maintain and inspect
22 the electric machinery, correct?

23 A. Yes.

24 Q. That's important for safe and
25 adequate electrical service to the home?

1 A. Yes.

2 Q. Failure to do so could result in
3 overvoltage conditions inside the home?

4 A. Failure to maintain and inspect?

5 Q. Yes.

6 A. I'm sure it could, yes.

7 Q. That can cause damage to the
8 electrical appliances in the home?

9 A. I'm sure it could, yes.

10 Q. Did you or anyone else that you --
11 from Ameren inspect other potential causes for the
12 damage?

13 A. I have not. Other folks from Ameren,
14 I'm not sure on that aspect either. I only handle
15 the inspection part of it.

16 Q. Okay. But customers can't
17 investigate?

18 A. The customers can't?

19 Q. The customers cannot investigate the
20 causes? I mean, they don't know, do they?

21 A. I mean, it really depends on what
22 they're trying to inspect I guess. Their electrician
23 could possibly inspect certain aspects of it but not
24 the primary or the main lines coming in.

25 Q. Okay. Do you know if there was any

1 evidence of improper wiring inside the house?

2 A. I do not.

3 Q. Do you know if there was any evidence
4 of tampering with the neutral line or the other line
5 that was broken?

6 A. I do not.

7 Q. Was there any evidence of improper
8 maintenance?

9 A. Not that I'm aware of, no.

10 Q. Okay. Was there any service related
11 complaints anywhere else in the neighborhood?

12 A. Not that I'm aware of. But I
13 wouldn't have seen that.

14 Q. Okay. I don't have any other
15 questions. Thank you.

16 JUDGE SEYER: All right. Ms. Martin, do
17 you have any questions for this witness?

18 MS. MARTIN: Yes.

19 EXAMINATION CONDUCTED

20 BY: MS. MARTIN

21 Q. Just -- so for images -- for exhibits
22 that haven't been entered yet but I think 104
23 through 107. Whether that is April or August is not
24 super important. But does -- those images don't show
25 the lines or the poles, I suppose, on the 13th of I

1 think September, correct?

2 A. No, they do not.

3 Q. Okay. So if there had been damage
4 done after August but prior to the 13th we don't have
5 an image of that; is that correct?

6 A. No. Our -- like I said, our
7 inspections are only done on those specific cadences.

8 Q. Okay.

9 A. And that's, you know, all we do for
10 our CDIS inspection.

11 Q. Okay. And is there any sort of -- I
12 asked Ms. Krcmar -- hope I'm saying that right, I'm
13 trying so hard -- if there was any notification
14 process that she knew of regarding damage to the
15 lines. Do you know of anything -- any mechanical
16 notification that Ameren could receive to know that
17 there is damage to a hot leg or a neutral line? I
18 keep calling them neural lines -- neutral lines?

19 A. To my knowledge, not at that level.

20 MS. FIELDS JOHNSON: Let me interject an
21 objection that this line of questioning is outside
22 the scope of direct.

23 JUDGE SEYER: I'll sustain the objection.

24 BY: MS. MARTIN

25 Q. In your -- how often have you had to

1 repair -- or I guess it's not a you question, that
2 would probably be our next --

3 A. Yeah. I don't repair any lines.

4 Q. You know what, but you're a very
5 smart cookie. Okay. I think I have no further
6 questions.

7 A. Thank you.

8 JUDGE SEYER: All right. Mr. Boyle, Ms.
9 Boyle.

10 MS. BOYLE: I have a question.

11 EXAMINATION CONDUCTED

12 BY: MS. BOYLE

13 Q. Would the average person who is not
14 an electrician and who doesn't work for a power
15 company, would they understand the stuff you're
16 talking about?

17 MS. FIELDS JOHNSON: I'm going to object
18 to this question as calling for speculation.

19 MS. MARTIN: I don't think that's
20 speculation.

21 JUDGE SEYER: I'll overrule the objection.
22 You can answer that, if you can.

23 THE WITNESS: I don't know how I can.
24 Everybody has different technical brains, they all
25 have their own experiences that they can draw from.

1 I can't say what one person versus another may or may
2 not know.

3 BY: MS. BOYLE

4 Q. Okay. And in order to repair or
5 diagnose a neutral power line, what's required, how
6 does it get repaired?

7 A. I am not a repairman, I do not know
8 that answer.

9 Q. So you're like a foreman or a
10 supervisor but you don't understand the work that you
11 supervise?

12 A. I don't supervise --

13 MS. FIELDS JOHNSON: I'm going to object
14 to this line of questioning as being argumentative.

15 MR. BOYLE: Just keep asking.

16 MS. BOYLE: Yeah. That's the next --

17 JUDGE SEYER: I don't know that it's
18 argumentative. I'm going to overrule the objection.
19 And I believe you've already answered the question,
20 correct?

21 THE WITNESS: Yeah. I do not supervise
22 that type of work.

23 JUDGE SEYER: Okay.

24 MS. BOYLE: No further questions.

25 MR. BOYLE: I've got some. We'll keep

1 asking until we hear from Ameren.

2 EXAMINATION CONDUCTED

3 BY: MR. BOYLE

4 Q. So the theory is -- well, there are
5 -- it's stated for record that there are two lines
6 down. So we're assuming that the same animal went
7 up, chewed one, swung down, because it was cut in
8 half, and crawled up there -- or another animal went
9 up there and chewed the other one. So we were two
10 for three that day, correct, in lines?

11 A. I honestly don't know the amount of
12 lines that were damaged off of -- other than --

13 Q. Hot neutral?

14 A. That there was a hot leg and a
15 neutral. I don't know exactly how far apart they
16 were from each other on the line. I can't say that
17 it was the same animal, different animal, I can't
18 speak to that.

19 EXAMINATION CONDUCTED

20 BY: MS. BOYLE

21 Q. Once again, once a neutral line is
22 compromised, how quickly would someone see the
23 problems in their home?

24 A. I honestly do not know, I'm not an
25 electrician.

1 Q. Ah. So what you're saying is an
2 electrician is the person who needs to diagnose that?
3 Not just the average guy but an electrician?

4 A. I'm not a certified lineman,
5 troubleman or electrician.

6 EXAMINATION CONDUCTED

7 BY: MR. BOYLE

8 Q. I'm curious about how we can confirm
9 the date of all these pictures?

10 A. In our system the upload dates are --

11 Q. There's one 8-23-24.

12 A. I can tell you when they were
13 uploaded into our system and that's all I can give
14 you.

15 Q. There's no dates on these.

16 MR. BOYLE: Wait, I got more questions.

17 EXAMINATION CONDUCTED

18 BY: MR. BOYLE

19 Q. So there's no proof of an animal that
20 did this even though that's what we're -- Ameren's
21 stating?

22 A. I can't answer that, I wasn't there
23 on-site.

24 Q. All right. We'll keep asking that
25 today.

1 MS. BOYLE: I've got a question.

2 EXAMINATION CONDUCTED

3 BY: MS. BOYLE

4 Q. What -- so what are the lines made
5 of, like steel, Teflon, copper, what are they -- what
6 are the lines made of?

7 A. I don't know those specific lines. I
8 would have to know what exactly was there to answer
9 that. Chris was on-site, he should be able to answer
10 that.

11 Q. So he'll know what the lines are?

12 A. There are different types of triplex
13 and duplex and --

14 Q. So he'll know exactly what they're
15 made of?

16 A. He should.

17 EXAMINATION CONDUCTED

18 BY: MR. BOYLE

19 Q. Okay. So we've seen things, we've
20 done some research that says that when these lines
21 are cut that it's fatal to an animal. So is that
22 what happens?

23 A. That an animal dies?

24 Q. Right.

25 A. Not always, no.

1 EXAMINATION CONDUCTED

2 BY: MS. BOYLE

3 Q. Would the journeyman who does the
4 work, would he wear rubber gloves to fix the line?

5 A. In those situations on a secondary,
6 he should be 'cause there's primary voltage running
7 through them.

8 Q. Uh-huh. So he wouldn't sustain any
9 kind of injury because he would be wearing gloves and
10 a squirrel would not -- or animal would not, you
11 know, have an injury even though they're not wearing
12 rubber gloves?

13 A. Again, I can't say one way or the
14 other. But I have seen animals that have hit lines
15 that they do not become deceased. They're not
16 grounded. Meaning their feet aren't touching a
17 grounded object.

18 Q. Are you talking about a wire that's
19 in the ground?

20 A. No.

21 Q. What do you mean by grounded? Give
22 me your -- you mean, it's connected?

23 A. No. There's lots of things that
24 ground a wire basically to the ground which lets
25 energy run through it.

1 Q. Right.

2 A. I'm not certified in that form of
3 work so I can't speak 100 percent to it. But I've
4 seen animals -- I mean, squirrels run across power
5 lines every day, birds land on them, they don't die
6 because they're not grounded.

7 EXAMINATION CONDUCTED

8 BY: MR. BOYLE

9 Q. But when they chew a wire --

10 MR. BOYLE: We're done. Thank you.

11 JUDGE SEYER: All right. Are there any
12 questions from the commissioners for this witness?
13 All right. Any re-direct?

14 MS. FIELDS JOHNSON: No, your Honor.

15 JUDGE SEYER: All right. Then before I
16 let you off the witness stand, let's go back to
17 Exhibits 106 through 107. So Ameren Missouri has
18 offered those into evidence. Ms. Boyle, you object
19 to those photographs coming into evidence and your
20 basic objection is that you don't believe that they
21 -- those photographs occurred in April or 2024, you
22 believe it would probably be August of 2024; is that
23 -- am I stating your objection correctly?

24 MS. BOYLE: Yes, that's correct. We have
25 a son who is currently in eighth grade at Chaminade

1 College Prep in St. Louis and he started Chaminade
2 College Prep in the -- you know, late August or early
3 fall of September. And when they welcome the
4 students the week that they go to school they put the
5 sign in the yard. So it can't be April of 2024
6 because at that time our son was not a student at
7 Chaminade, he was a student at Our Lady of Lords in
8 University City. They only put the sign in the yard
9 when -- like the week that they start school. So --
10 and we kept the sign in the yard. So this sign -- I
11 recognize it, it says Chaminade College Prep.

12 JUDGE SEYER: I understand your rationale
13 for the reason you believe that these were taken at a
14 different time than April of 2024. But would you
15 agree with me though that if these photos were taken
16 in August rather than April they would be a closer
17 representation, they would be closer to the date in
18 question, September 13th?

19 MS. BOYLE: Well, I'm also going to argue.
20 Because if you look at this photo, I don't know -- it
21 doesn't have an exhibit number on it that I can see.

22 JUDGE SEYER: All right. That one has not
23 been brought up yet.

24 MS. BOYLE: And if you look at my photo
25 there on the light board. Whenever the gentleman

1 comes up who fixed the line, --

2 JUDGE SEYER: Uh-huh.

3 MS. BOYLE: -- I stood outside that night
4 with Rob Coonce, the electrician, we stood in my
5 neighbor's driveway and then we went down to the
6 sidewalk and we watched the gentleman come and repair
7 the line. And --

8 JUDGE SEYER: Well, let's -- let me
9 interrupt you there and say let's not even talk about
10 that photo compared to your photo, which I believe is
11 Exhibit 5.

12 MS. BOYLE: No. But it's the same thing.
13 What I was going to --

14 JUDGE SEYER: But wouldn't that be --
15 since it has not been brought up, it has not been
16 introduced into evidence, wouldn't it be more
17 appropriate to talk about that when the witness --

18 MS. BOYLE: Sure.

19 JUDGE SEYER: -- who is supporting that
20 photograph --

21 MS. BOYLE: Yes.

22 JUDGE SEYER: -- testifies?

23 MS. BOYLE: But this is why I am
24 questioning -- because all these photos are from the
25 same thing. This is why I am questioning that the

1 date is valid. And when the next gentleman comes up
2 to speak I am going to address this. Because I stood
3 out there that night with Rob while the line was
4 repaired, I stood outside and I watched everything.

5 JUDGE SEYER: Uh-huh.

6 MR. BOYLE: So your Honor, --

7 MS. BOYLE: -- all his comments.

8 MR. BOYLE: Can we keep these signs up a
9 long time? I don't know why there's not a date on
10 this. This could have been April of 2025. I don't
11 believe these dates. I don't believe these pictures.

12 MS. FIELDS JOHNSON: So your Honor, just
13 -- if it might clear things up. The last two
14 photographs were not taken at the same time as the
15 four drone photographs. When the next witness comes
16 up they'll testify with regard to when those
17 photographs were taken.

18 JUDGE SEYER: Okay.

19 MS. FIELDS JOHNSON: I don't know if that
20 helps.

21 MS. MARTIN: I do think that 104
22 through 107 might be better served by being entered
23 in under the next witness because he physically saw
24 the line. So it might be more appropriate.

25 JUDGE SEYER: Right. And I actually had a

1 question myself.

2 MS. FIELDS JOHNSON: So your Honor, in
3 response to that. The witness that's on the stand
4 now is a witness who supervises the inspection
5 program. The Photographs 104 through 107 are part of
6 that inspection program. And so he's the person who
7 can testify with regard to what's in those
8 photographs, when they were taken, how they were
9 housed, where they're stored, you know, whether
10 they're stored in the course and scope of Ameren's
11 business. I certainly would utilize these
12 photographs for the next witness. But in terms of
13 the admission of them as business records we've got
14 the appropriate individual on the stand testifying
15 with regard to those exhibits.

16 JUDGE SEYER: Right. And in my opinion
17 the -- these -- in my opinion these photographs
18 should come into evidence. But the weight that the
19 Commission can put on these photographs, based on
20 whether they were taken in April or August or
21 whenever they were taken, is something that the
22 Commission can take into consideration. But the
23 photographs themselves, there's been no contention
24 that they are not -- they're pictures of some
25 location other than the location in question. So I

1 am going to admit -- I'm going to overrule that
2 objection and admit Exhibits 104, 105, 106, and 107.

3 MR. BOYLE: Can I ask a question? Just
4 like multiple things today, I don't believe certain
5 things that are being said today. Why isn't there a
6 date on this? That's pretty -- that's pretty
7 elementary.

8 JUDGE SEYER: Again, it's their evidence
9 to present how they deem they would like to present
10 it.

11 MR. BOYLE: All right.

12 JUDGE SEYER: And there has been
13 testimony.

14 MR. BOYLE: Very good.

15 JUDGE SEYER: So unless there's anything
16 further from -- further for this witness you can step
17 down. Thank you.

18 MS. FIELDS JOHNSON: You can leave that
19 there. Thank you.

20 JUDGE SEYER: And call your next witness.

21 MS. FIELDS JOHNSON: Ameren Missouri calls
22 Christopher Kemp.

23 JUDGE SEYER: Mr. Kemp, would you raise
24 your right hand.

25 * * * * *

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CHRISTOPHER KEMP,

The witness, having been first duly sworn upon his oath, testified as follows:

* * * * *

JUDGE SEYER: Thank you.

EXAMINATION CONDUCTED

BY: MS. FIELDS JOHNSON

Q. Can you -- okay, I'm sorry.

A. Okay. I'll just pull this down.

Q. No. I apologize. I didn't look up. Can you state your name and spell your name for the record, please?

A. Yes. Chris Kemp, C-H-R-I-S, K-E-M-P.

Q. And who is your employer?

A. Ameren Missouri.

Q. And what is your current position with Ameren Missouri?

A. Supervisor of electrical operations and training.

Q. Okay. And how long have you held that position?

A. Going on five months now.

Q. Okay. And could you tell us your responsibilities in that particular role?

A. Overseeing all manners of electrical

1 operations, installations, specs -- specifications of
2 installations and training new personnel.

3 Q. And I heard your title. Do you
4 supervise employees?

5 A. I do.

6 Q. Okay. And what type of work do the
7 employees do that you supervise?

8 A. All manner of distribution,
9 construction or industrial construction. Overhead,
10 underground, network systems, substation systems, and
11 installation of residential services.

12 Q. And prior to this position, have you
13 held other roles with Ameren Missouri?

14 A. I have.

15 Q. And what position?

16 A. A line troubleman.

17 Q. And how long did you work as a line
18 troubleman?

19 A. Right at three years.

20 Q. What were your responsibilities in
21 that role?

22 A. Primarily responding to customers
23 disturbances in power and emergencies.

24 Q. And prior to that, were you employed
25 with Ameren?

1 A. No.

2 Q. Okay. Have you done other work in
3 this industry?

4 A. Yes. I've been in this industry
5 since 2001.

6 Q. Okay. So for --

7 A. Twenty -- twenty-five years.

8 Q. And what did you do for those
9 25 years?

10 A. All manner of power line
11 construction, troubleshooting. Everything from new
12 reconducts which is pulling in new wire to new pole
13 installations to underground network systems.

14 Q. Okay. Are they similar
15 responsibilities that you did when you were a line
16 troubleman?

17 A. Yes.

18 Q. In Ameren --

19 A. Yeah, they are -- yeah. The majority
20 of them all kind of go hand in hand. It's all a
21 variation of one or the other.

22 Q. And over the course of your career,
23 approximately how many service calls have you handled
24 for customers?

25 A. Comfortably several hundreds if --

1 maybe even close to a thousand.

2 Q. So let's direct your attention to
3 September 13th, 2024. During that time, what was
4 your position with Ameren?

5 A. Line troubleman.

6 Q. Okay. And were you working as a line
7 troubleman on that day?

8 A. I was.

9 Q. And were you on duty that evening?

10 A. I was.

11 Q. So I'm gonna ask you to -- you've got
12 the packet of exhibits up there?

13 A. I've got some things, yes.

14 Q. All right. So I'm going to ask you
15 to look at Exhibit Number 101 that's already
16 previously been admitted.

17 A. Let's see. 101.

18 Q. Are they taken apart? I can give
19 you --

20 A. Yeah. They're all over the place
21 here.

22 Q. Here. Let me give you a different
23 packet, that'll make it easier on you.

24 A. Ah. Is it just 101 or 101C?

25 Q. 101C.

1 A. Okay. I did find 101C.

2 Q. Okay. And it should be two pages.

3 Do you have two pages --

4 A. Yes.

5 Q. -- for 101C?

6 A. Yep. I have them.

7 Q. Okay. So would using this document
8 help you with the timeline of the -- of your work on
9 September 13th, 2024 at the Boyle's residence?

10 A. Yes. This would help me.
11 Traditionally this wouldn't be the operating system
12 that I would operate off of as troubleman, I would
13 operate off the OAS screen. But yes, I am familiar
14 with this here as well and it would give me the
15 information that I needed.

16 Q. Okay. And when you say that this is
17 the screen that you would operate off of, what does
18 that -- what do you mean by that?

19 A. Well, out in the field, you know, we
20 have someone running 24/7, 7 days a week. We leave
21 our mobile computers that's in our vehicles on what
22 they call the OAS mainframe screen. So we get live
23 updates. So as soon as dispatch receives a call and
24 issues that job it pops up on my screen and it gives
25 me the details that they've placed in that said job.

1 Then I can sign onto it, respond to it and hopefully
2 make whatever repairs are necessary to make.

3 Q. Okay. And did you receive a dispatch
4 to the Boyle's residence that evening, on
5 September 13th, 2024?

6 A. I did.

7 Q. Okay. And what information did you
8 have prior to arriving to --

9 A. The only information that I received
10 was that a neutral was broken and a hot leg was down.
11 Or partial power.

12 Q. Okay. So on this form, or on this
13 screen, can you -- what information would you see
14 upon being dispatched?

15 A. On the screen right here -- I
16 wouldn't be looking at this screen. I would be
17 looking at -- now, this is me operating in the field.
18 There should be a -- ah. Right here. If I could
19 turn you to Exhibit 100C.

20 Q. Okay.

21 A. This is what I would have actually
22 received in the field in live time.

23 Q. Okay. So can you kind of talk us
24 through what tells you what needs to be done, like
25 what information you have?

1 A. Okay. Yeah. I get -- whenever it's
2 a situation like this it's -- I get minimal
3 information. The key thing is to respond. 'Cause
4 we're trained to respond primarily and promptly to
5 some key words. Anything broke, neutral -- or power
6 -- power out. So those are two things that no matter
7 what we've got going on those automatically jump to
8 our -- 'cause when I hear broke we don't know if it's
9 broken laying in the road or if it's in a yard or
10 what's going on. But the information I got, if
11 you'll look at approximately the bottom quarter of
12 100C you'll see where it says D-I-S-P, dispatch,
13 okay, that's that -- C number is going to be me. And
14 right beside it it'll say R-M-K which is abbreviation
15 for remark. That's the only information I got before
16 arriving to the residence. Power to part of the
17 residence, broken neutral going into, and I knew that
18 was going to be home.

19 Q. Okay.

20 A. And that's what I had to respond to.

21 Q. All right. And what time was this
22 issue reported?

23 A. This issue was reported -- that's
24 gonna be -- I believe it was 9:20 -- what is it? Was
25 it 9:22?

1 Q. I've got 9:18.

2 A. Okay. Okay. Yeah. My -- no, my
3 dispatch time, whenever I received it, was 2127.

4 Q. Okay.

5 A. So -- and there's several steps that
6 takes place before this ever comes to me in the
7 field. Now, I have no control over that. But I took
8 this job at 2127.

9 Q. Okay. And so upon taking the job,
10 what time did you arrive at the residence?

11 A. At 2145.

12 Q. And then what time was the job
13 completed?

14 A. The job was completed at 2222.

15 Q. Okay. So 10:22?

16 A. Yep.

17 Q. Okay. And so let's talk about what
18 you saw when you arrived on the scene. What was the
19 -- what did you observe when you arrived?

20 A. Upon approaching the scene I saw
21 approximately not quite in the center of the road but
22 probably -- estimation roughly ten foot from our pole
23 toward the center of the road two silver wires
24 hanging down. And again, on approach I knew by my
25 notes and I was expecting a broken neutral. So I was

1 kind of glad to see that, that's an easy fix. And
2 then upon getting there, ran some tests and realized
3 that they was only -- they were only getting 120 volt
4 power. So I knew at some point the hot leg going to
5 the home had to be out, so...

6 Q. So if you could explain that to us.
7 So the neutral alone wouldn't have indicated that
8 there was diminished voltage?

9 A. No. Well, and see I've been sitting
10 back there chomping at the bit about this. First
11 off, the neutral by itself is its first -- it's just
12 one line of defense. Okay. So the neutral line and
13 the triplex now ideally could be broken but there's
14 still two more additional fail safe installations,
15 including a hand driven ground rod that is attached
16 to the meter base that has a number six piece of
17 copper that runs up and bolts onto the customer's
18 side of the lugs at the meter base. In the unlikely
19 event that a neutral line is broken that is still
20 going to have some main -- be able to maintain a
21 reference to zero, which is essentially what a ground
22 serves, an alternating current. It's looking to make
23 a circle. You know, it doesn't have to come back to
24 its initial source but it needs to have a ground.

25 But on the other hand what would cause the

1 issues is prolonged 120 volt power to a 240 volt
2 appliance, especially an HVAC because it's going to
3 keep trying to cycle, it's going to keep trying to
4 operate, and it's not going to have that 240 volts.
5 So prolonged diminished voltage of 120 volts to a 240
6 volt unit is going to and will cause problems. But
7 the neutral alone would not have done that.

8 Q. Okay. So what line would cause a
9 diminished voltage from 120 -- from 240 to 120?

10 A. That broken -- the broken hot leg.

11 Q. Okay. So if you could explain what a
12 hot leg is and what its purpose is?

13 A. Okay. You actually have two hot --
14 two hot legs that comes from the transformer or what
15 is the transformer. And a version of one leg is
16 120 volts, another leg is 120 volts. And when you
17 get to the house they meet in the breaker box and
18 that's where they make their tie to make a 240
19 connection. So that's -- that's what -- that's how
20 you get that.

21 Q. So when you got to the house, you saw
22 the broken neutral. And then did you run some tests,
23 was there something --

24 A. Yeah. I did some voltage tests. And
25 I did -- was able to determine, you know, obviously

1 the neutral was broken but they was only getting
2 120 volts from the pole to the house. At that
3 particular time where I was testing that I didn't --
4 I hadn't identified yet where the hot leg was broke
5 yet because initially I would have anticipated it to
6 be somewhere right near where the neutral was broke.
7 But it was actually up closer -- well, right at the
8 pole.

9 Q. Okay. And so how -- how did you
10 determine that's where it was?

11 A. Well, over several, several years of
12 experience while doing -- during making the
13 connection to the neutral your neutral is supposed to
14 take -- is designed to take all of the strain coming
15 from the pole to the home, okay, 'cause it has the
16 steel core in it and you never want any tension on
17 your -- on your hot legs, okay. They're wrapped and
18 your neutral primarily operates as just a messenger
19 to hold the wire up. Well, whenever I was making it
20 I pulled on one of the hot legs, I was like, wait a
21 minute, and noticed that it was on the pole side.
22 There's additional slack that shouldn't have been
23 there so I knew that there was something loose on
24 that end. And that's, after making the neutral
25 connection, what prompted me to go that direction.

1 Q. And so what steps did you take to
2 repair the issue?

3 A. To repair the issue? I went up there
4 and cut out the -- approximately a two foot section
5 of -- a portion of it had been nibbled and just
6 mangled up. It had been chewed on by something,
7 we'll leave it at that. And chewed in two. So I cut
8 the bad section out and used our standard protocol by
9 sleeving in a piece of appropriate sized wiring or
10 matched size wire with two compression sleeves.

11 Q. Okay. And about how long did that
12 repair take?

13 A. The whole -- the whole ordeal took
14 right at an hour.

15 Q. And after you made the repair -- and
16 I assume you made the repair both to the neutral
17 line --

18 A. Yes.

19 Q. -- and to the hot leg?

20 A. Yes. Yep.

21 Q. And so after you made those repairs,
22 what did you do to restore service?

23 A. I tested to make sure that they was
24 receiving 100 -- 120 volts and 120 volts to make
25 240 volts going to the home. And I was testing that

1 from source to neutral, source to neutral, so...

2 Q. Okay. And so after it was determined
3 that the -- the tests came out okay --

4 A. Yes.

5 Q. -- then what did you do?

6 A. Then I boomed down. And I --
7 honestly the -- what I remember of that job.

8 Q. Okay. And after you completed the
9 work you could tell that the line was functioning
10 properly?

11 A. Yes. Yeah. I -- yeah. I tested
12 that up at the pole and I looked at the -- yeah, I
13 looked at the meter and made sure that it was cycling
14 properly.

15 Q. Okay. So based on your training and
16 experience, what caused the issue?

17 A. From the evidence I saw it was a
18 squirrel.

19 Q. Okay. And what gives you the
20 impression that it was a squirrel?

21 A. Well, it was most prominent on the
22 neutral portion. And in -- like I said, this has
23 been a while back. But from what I remember it had
24 gotten primarily through one of the hot leg
25 connections and it was kind of burnt and melted right

1 there. So that's -- and there was little chew marks
2 beside that as well. So I just cut the bad out, made
3 the new connections.

4 Q. Okay. And then was there any damage
5 to the pole?

6 A. No damage to the pole.

7 Q. Okay.

8 A. That I -- that I saw, no.

9 Q. And so there's been a lot of
10 testimony about what -- or a lot of questions about
11 whether or not a squirrel would survive chewing into
12 the -- either of those wires. Can you talk --

13 A. Okay.

14 Q. -- about that?

15 A. Yeah, absolutely. And I can testify
16 to this with all certainty. I've responded to
17 several firemen calls to retrieve cats that have
18 climbed up in the poles and open secondary. Now,
19 what we have to keep in mind here is we're not
20 dealing with primary voltage we're dealing with
21 secondary voltage which is 120 volts. And where
22 instant fatality occurs with squirrels and cats and
23 various things that get up there, we're talking
24 several thousands and thousands of more volts, all
25 right.

1 So basically what the wires is coming from
2 the transformer is the same thing that's going to a
3 socket. I don't recommend you putting your finger to
4 it it's just going to give you an idea of, hey, you
5 don't want to do that anymore. But I've literally
6 seen -- boomed up to get cats and they freak out and
7 they just disappear in a ball of fire, hit the
8 ground, shake it off and run -- run off. And I've
9 done that at least three times that they -- they just
10 poof, hit the ground and run. Had this been a
11 primary voltage absolutely would not have survived.
12 Secondary voltage, it's very possible.

13 Q. So there -- did you inspect or repair
14 any of the appliances in the home?

15 A. No. We are absolutely forbidden to
16 make any repairs or -- it's highly frowned upon even
17 to enter the home.

18 Q. Based upon your experience, can
19 issues like this occur and sometimes effect
20 customer's equipment?

21 A. Oh, most definitely, yeah. I mean,
22 yeah, it can.

23 Q. And you heard the testimony of our
24 previous witness with regard to the inspection
25 process that Ameren uses. Let's say the inspection

1 occurred on the day of September the 13th. Is it
2 possible that the inspection could have occurred that
3 day and you still had the result of a chewed line by
4 a squirrel?

5 A. It is possible. It is possible. But
6 from what I saw on the neutral I would say it
7 probably took maybe the course of a couple days. But
8 I'm no squirrel specialist. But I'm confident in
9 what I saw.

10 Q. And if you could again describe what
11 it was that you saw that gave you the indication,
12 both on the neutral line and on the hot leg, and if
13 there was anything on the pole that indicated to you
14 that this was an animal or a squirrel or some kind of
15 animal?

16 A. Well, yes. There was nothing on the
17 pole. But on both the locations that I repaired you
18 could see the telltale two teeth nicks up and down on
19 the neutral and not such a wide spot on the -- on the
20 hot leg side. And if I remember correctly, during
21 that time the tree -- there's a tree that was just on
22 the backside of the transformer and there's a --
23 that's pretty much a squirrel highway 'cause it's got
24 one of the bigger larger fiberoptic cables on it.
25 And they'll use that as a squirrel highway, you know.

1 So it's -- from evidence I've gathered and seen from
2 other jobs I feel comfortable in making that.

3 Q. And we've also had a lot of testimony
4 about whole home surge protectors.

5 A. Uh-huh.

6 Q. Can you explain to the Commission
7 what a whole home surge protector would have done if
8 it had have been in place in this situation?

9 A. Okay. Well, a whole home surge
10 protector. What that does is that's actually
11 installed in series before your main breaker box,
12 okay. So that's before it comes from the meter and
13 goes directly to your breaker box like it does
14 traditionally, this would be in series. And it'll be
15 designed to stay functioning whenever it's receiving
16 what we call nominal voltage, which is the relative
17 voltage that you would be expected to encounter. So
18 if we say it's a 120, 240 circuit that's the voltages
19 that you'd expect to encounter nominal voltages, it's
20 never perfect voltage. But then it would operate --
21 some of them may have different settings. Generally
22 if it gets a ten percent increase or ten percent
23 decrease it'll kick open and say, hey, something
24 needs to be checked out. Because once you get
25 outside of those parameters, damage can start

1 occurring, flickering lights, things burning up. And
2 that's -- that's the purpose of them. It's kind of a
3 main breaker before your main breaker.

4 Q. So if it gets outside of that range,
5 the ten -- the ten percent above or the ten --

6 A. Or below.

7 Q. -- below, what does the surge
8 protector do?

9 A. It opens up and it disconnects --
10 essentially disconnects any potential power that
11 would be coming in going to the breaker box.

12 Q. So -- so it would prevent the power
13 that would be going to the larger appliances in the
14 home?

15 A. Yes. If it was set up to be a 120,
16 240 surge protector the moment that it sensed that it
17 wasn't getting 240 volts it would have kicked open.

18 Q. Okay. So in this case, when you
19 arrived you were -- it was diminished by 120 volts?

20 A. It was diminished by 120 volts.

21 Q. And so the home whole -- I can't get
22 it out. The whole --

23 A. The whole home.

24 Q. -- home surge protector would have
25 triggered and prevented voltage from going to those

1 appliances?

2 A. Ideally.

3 Q. Okay. So we've also had some
4 testimony regarding the timeframe when the problems
5 started happening in the Boyle's home. So you just
6 testified that from the time that you received the
7 call to the time that your repair was made was --
8 well, from the time the call was logged in, which was
9 9:18, to the time the repair was made, which was
10 10:22, was just a little over one hour?

11 A. Uh-huh.

12 Q. Would you, in your experience, expect
13 that to cause -- that period of time with diminished
14 voltage to cause that kind of damage to the
15 appliances?

16 A. I'm kind of careful to say because
17 without knowing -- it could -- I've seen it before
18 and I've not seen it -- I've seen it not do it
19 before. Some -- it can depend on the installation of
20 the appliances, the wiring of the appliances, how
21 they're connected to the home's grounding system.
22 There's several extenuating circumstances that us at
23 Ameren are not responsible for maintaining that could
24 have caused the damage instant -- could have been
25 instantaneously. But again, to my knowledge, those

1 things that would have caused, that isn't something
2 that we would -- that we would have been maintaining.

3 Q. So if the problem, the flickering
4 lights -- so let me ask this question. What are the
5 symptoms that you would expect to see if you have
6 problems of 120 volts diminished?

7 A. Generally half of the home's not
8 working. Anything that's using 240 might attempt to
9 come on and all you're going to get is a buzz out of
10 it because it -- even your HVAC. It doesn't run on a
11 consistent 240, it just depends on that 240 to give
12 it that quick start and then once it does it drops
13 down. But flickering lights, stove not working,
14 trying to use the microwave you're going to have dim
15 lights and it's going to make all kinds of racket.
16 And the same with your HVAC. You're going to hear it
17 try to kick on but it's going to sound like it's in a
18 bind.

19 Q. And is there a greater likelihood
20 that you have less damage the sooner the issue's
21 repaired?

22 A. Again, that would depend on some
23 things that would be outside of my -- outside of what
24 I would be responsible for maintaining. There are
25 fails -- there are some safeties that can be

1 inherently wired into HVAC units and stuff whenever
2 they're installed. Again, there's not much you're
3 going to do about the loss of 120 volts. But had it
4 been simply just a neutral broke there -- I feel
5 comfortable in telling you there's services out there
6 that's had the neutral broke for two to three years.
7 But you cannot substitute whenever you drop 120 volts
8 to a 240 -- 240 volt appliance.

9 Q. Okay. But you believe the home --
10 whole home surge protector is designed to catch that?

11 A. It's specifically.

12 Q. Specifically designed to do that?

13 A. Yeah.

14 Q. Okay. So we've got some photographs
15 that have been admitted and I want to draw your
16 attention to those. So I'd ask you to look at
17 Exhibit 104, 105, 106, and 107. And those are the
18 drone photographs that were admitted as part of
19 the --

20 A. 104, --

21 Q. -- inspection process.

22 A. -- 105, 106, and 107 you say?

23 Q. Yeah.

24 A. Okay. Got 'em.

25 Q. And can you tell me, by looking at

1 these pictures, whether or not they are pictures that
2 are outside or near the Boyle's residence?

3 A. I can, yes.

4 Q. And are there any particular pictures
5 that you can kind of identify where the problems
6 were?

7 A. Yes. If you'll look at Exhibit 105.

8 Q. Okay.

9 A. Okay. If you're -- are we all
10 familiar with what the transformer is? It's that big
11 round thing there. Okay. If you're looking at the
12 top of that and you look immediately to your right
13 you'll see the street light sticking out there. Go
14 about another two foot roughly, that's where the
15 neutral was broke, okay? So that's where that was
16 made. Okay. Now, that's -- and we'll get to the
17 pictures of where that repair was made, I'm sure.

18 Q. Uh-huh.

19 A. But then come back to the
20 transformer. If you're looking at the top of it you
21 see those three black wires that are going vertically
22 down, that's facing you, you see those? Okay. Now
23 those come down and they make what they call a stack
24 connection. And that -- those come down vertically
25 and then we have three wires that run perpendicular.

1 And that's where those will connect. And all the
2 services that connect to that perpendicular wire,
3 which we call open wire secondary. And right there
4 in that cluster -- it's not as prevalent on that one
5 as maybe -- ah, here we go. Yeah. Did you submit a
6 109?

7 Q. Not yet. That'll be yours. And I'm
8 going to get to it.

9 A. Okay, okay. All right. Well, as of
10 right now, regardless of whenever this photo was
11 taken, if that neutral had been broken whenever --
12 when this photo was taken it would have been spotted
13 -- I could spot it immediately.

14 Q. Okay. So I'm going to come up and
15 I'm going to give you a pen. And I'm going to ask
16 you to circle so that commission, when they go back
17 and look at these, they can identify where you're
18 talking about.

19 A. Uh-huh.

20 Q. So if you wouldn't mind.

21 A. I've actually got one.

22 Q. Okay. Perfect.

23 A. Okay. You want me to circle where
24 the repairs were made and label them?

25 Q. Right. Where the -- areas where the

1 broken --

2 A. Okay.

3 Q. -- neutral and hot leg is. And on
4 any one of those photos, 105, 106 -- 104, 105, 106,
5 and 107.

6 A. Okay.

7 Q. And then just, you know, indicate
8 whether that's the neutral or the hot leg and then
9 also put your initials next to what you circle.

10 A. Well, my pen don't seem to want to
11 work.

12 Q. Got one for you, if you need it.

13 A. What is this, wax paper? Well, I
14 don't know if any pen would.

15 MS. BOYLE: Sharpie?

16 THE WITNESS: Maybe.

17 MS. BOYLE: Actually I do. I have one.

18 THE WITNESS: If it was a sharp tip

19 Sharpie.

20 MS. BOYLE: I have one.

21 THE WITNESS: Was it? Okay.

22 MS. BOYLE: Here. I have a Sharpie.

23 (Inaudible.)

24 THE WITNESS: Well, I've done got this one
25 all botched up here. Okay.

1 (Inaudible.)

2 THE WITNESS: All right. Well, then I'll
3 just -- here's this back. And you want it on all of
4 them?

5 MS. FIELDS JOHNSON: Yeah. Anywhere you
6 see that.

7 (Inaudible.)

8 THE WITNESS: There's that one. This 106,
9 I can get close but it doesn't really give a good...

10 MS. FIELDS JOHNSON: Yeah, if it's not a
11 good one, don't worry.

12 THE WITNESS: Okay. And the 107 appears
13 to be the same. Yeah, some kind of -- all right.

14 MS. BOYLE: Thank you.

15 BY: MS. FIELDS JOHNSON

16 Q. And this is after the repair, right?

17 A. That was after the repair.

18 (Inaudible.)

19 THE REPORTER: I couldn't hear the
20 question.

21 THE WITNESS: Yeah. I don't know when
22 that photograph was taken. I'm just circling where
23 whenever I showed up I made repairs. Yes.

24 (Inaudible.)

25 THE REPORTER: I can't hear whoever's

1 speaking.

2 JUDGE SEYER: Ms. Bleskey, that -- I mean,
3 it's just kind of back and forth. We're trying to
4 determine what exactly he's marking. So I don't know
5 that that needs to be on the record.

6 THE REPORTER: Okay. Thank you.

7 BY: MS. FIELDS JOHNSON

8 Q. Okay. So I'd like to also draw your
9 attention to Exhibits 109 and 110.

10 MS. BOYLE: Which one is 110, this one?

11 MS. FIELDS JOHNSON: Uh-huh. Yes. And
12 109 is this one.

13 THE WITNESS: I found 109. Let me dig
14 around here a little bit. Is 110 not labeled?

15 BY: MS. FIELDS JOHNSON

16 Q. It --

17 A. Yeah. I gotcha. I'm with you.

18 Q. Okay.

19 (Inaudible.)

20 BY: MS. FIELDS JOHNSON

21 Q. So were these photographs that were
22 taken by you?

23 A. Yes.

24 Q. Okay. And these photographs were
25 taken by you at my request, correct?

1 A. That is correct.

2 Q. And they were taken somewhere around
3 May the -- around May the 5th or so?

4 A. That -- yes. That sounds correct,
5 yes.

6 Q. Okay. So if you could --

7 MS. BOYLE: May 5th of what year?

8 BY: MS. FIELDS JOHNSON

9 Q. With regard to Exhibit 109. I'm
10 sorry, May 5 of this year, just within the last --

11 A. Couple weeks.

12 Q. -- couple weeks. And again, they
13 were taken at my request?

14 A. Yes.

15 Q. So I'm gonna ask you to focus on
16 Exhibit 109.

17 A. All right. Let me find it again
18 here. Ah, here we are. Okay. Yes. What we got?

19 Q. So if you could tell us what this is
20 a photo of?

21 A. Okay. What this is a photo of is the
22 bottom side of the transformer. And if you look
23 approximately -- well, look dead center of the page
24 you'll see a round -- well, not round, but a square
25 looks like a box type object. Okay. And then you

1 look to the right of that you'll see another one that
2 looks kind of like a cross type looking object. All
3 right. And then next to that you'll see a bare
4 connection. Okay. What that is is the two box
5 connections are the hot legs that were serving the
6 Boyle's home. The bare connection there is attached
7 to the neutral that is serving the Boyle's home.

8 Q. Okay. So I'm going to have you,
9 again on these pictures, kind of circle what it is
10 that you're talking about. 'Cause I'm not clear
11 about which -- what's the bare connection?

12 A. Okay. The bare connection. Okay.
13 So you see the two black box looking ones, okay,
14 those are energized hot legs. Okay. The one closest
15 to the transformer, where you see the two tails of
16 wire, that's just -- that's the neutral connection.

17 Q. Okay.

18 A. That connects to the service neutral
19 that runs to the Boyle's home.

20 Q. Okay. And does this photograph
21 depict what you did in terms of the repair?

22 A. Yes. The square connectors, replaced
23 those.

24 Q. Okay. And both of those were related
25 to the hot leg?

1 A. Yes. Both of those are hot legs.

2 Q. Okay.

3 A. And it's common -- common practice if
4 you change one you change both of them because upon
5 arrival they still had the old style that was
6 basically bare connections and were actually now, and
7 have been for some time, installing these black
8 covers for squirrel mitigation. In the last few
9 years we've implemented that all new construction be
10 fitted with animal mitigation, bird and avian.

11 Q. Okay. All right. So now I'm going
12 to show you what's been marked --

13 JUDGE SEYER: Excuse me. Before we move
14 on. Just so I've got this straight in my own mind.
15 You're referring to Exhibit 109, correct?

16 THE WITNESS: Yes, your Honor.

17 MS. FIELDS JOHNSON: Yes, that's 109.

18 JUDGE SEYER: And you're saying that what
19 I'm pointing to is the neutral line?

20 THE WITNESS: Negative, sir.

21 JUDGE SEYER: Okay.

22 THE WITNESS: May I approach or come up to
23 you?

24 JUDGE SEYER: I'm coming to you.

25 THE WITNESS: Okay. So this is kind of a

1 bizarre -- yeah. 'Cause you'll be looking up. These
2 right here are --

3 JUDGE SEYER: And this --

4 THE WITNESS: Yeah. These right here are
5 the two energized legs that (inaudible.)

6 THE REPORTER: I'm having trouble hearing.

7 JUDGE SEYER: Yes. Madam Court Reporter,
8 the judge is conferring with the witness for a
9 moment. Stand-by. Nothing on the record.

10 (AT THIS POINT IN THE PROCEEDINGS, AN OFF
11 THE RECORD DISCUSSION WAS HELD.)

12 JUDGE SEYER: All right. So Ms. Fields
13 Johnson, what I'd like the witness to do, and I'm not
14 going to have him do it until I get your okay 'cause
15 this is your exhibit. But I'm going to have him
16 circle those two repairs that he made on the hot
17 lines and indicate that those are the hot lines maybe
18 with -- maybe with an arrow. And then also an arrow
19 to the neutral line repair and label that neutral.

20 MS. FIELDS JOHNSON: Oh, yes. I'm sorry.
21 I am okay with that.

22 JUDGE SEYER: Okay. And correct me if I'm
23 wrong, but if we take this exhibit and we hold it
24 vertically, I'll say, where it says Exhibit 10 --
25 it's printed Exhibit 109 at the bottom. As we go up

1 the -- as you testified to earlier, more or less the
2 square box and then the cross box are the hot line
3 repairs that you made?

4 THE WITNESS: Yes.

5 JUDGE SEYER: And then the next box above
6 that is the neutral line?

7 THE WITNESS: Is the neutral connection.
8 That's not the point of where --

9 JUDGE SEYER: Right. It was ten foot
10 approximately --

11 THE WITNESS: Yeah.

12 JUDGE SEYER: -- from the pole.

13 THE WITNESS: But I did make the hot leg
14 connections there.

15 JUDGE SEYER: Okay. Is -- are there any
16 other parties that need to see that to know or do we
17 have -- are we all on the same page now? Okay.

18 MR. BOYLE: These are the two repairs that
19 you made?

20 THE WITNESS: Nope, nope. One -- well,
21 right. This would be I consider one because anytime
22 I --

23 (Inaudible.)

24 JUDGE SEYER: The court reporter's about
25 to ask you to speak into --

1 THE WITNESS: Oh. Apologies.

2 JUDGE SEYER: So could you repeat that?

3 THE WITNESS: Yes. What I'm considering
4 two repairs is encompassing both hot legs. So the
5 two repairs I'd be referring to would be a hot leg
6 and the neutral.

7 MR. BOYLE: And those are pictures of two
8 repairs that you made that evening?

9 THE WITNESS: Right, correct.

10 MR. BOYLE: The only two repairs?

11 THE WITNESS: Negative.

12 MR. BOYLE: Okay.

13 JUDGE SEYER: Okay. I'm going to turn it
14 back over to you. I'm sorry to interrupt. But I
15 just wanted to make sure we were all kind of thinking
16 about the same things that he was referring to.

17 (Inaudible.)

18 THE WITNESS: Yes, I do have Exhibit 110.

19 THE REPORTER: I don't believe her mic's
20 on. Thank you.

21 MS. FIELDS JOHNSON: Oh, I'm sorry. I
22 apologize. I apologize.

23 JUDGE SEYER: We really need to
24 concentrate, guys. Again, she's on WebEx. Please
25 talk into the mic, please make sure your microphone

1 is on.

2 MS. FIELDS JOHNSON: My apologies.

3 JUDGE SEYER: We're struggling a little
4 bit today.

5 THE WITNESS: Yeah. 10-4.

6 BY: MS. FIELDS JOHNSON

7 Q. So the -- this photograph is a
8 photograph you took as well?

9 A. Yes. Yes, ma'am.

10 Q. And was this also taken at my
11 direction?

12 A. It was.

13 Q. And it was taken at the same time as
14 Exhibit 109?

15 A. It was, yes.

16 Q. So approximately May the 5th. If you
17 could tell us what this photograph shows?

18 A. Well, that -- it shows I've cuttin'
19 out a bad section of the service neutral and spliced
20 in, per standard, a new piece of undamaged service
21 neutral.

22 Q. So I'm going to ask you to do the
23 same thing that you did with Exhibit 109 which is
24 circle -- and the other exhibits that you did, circle
25 the area where you made the repair and write on there

1 what that repair was?

2 A. And this is commonly referred to as
3 sleeved in wire. So that's what I'm going to put.
4 And just to add, by looking at this photo, the
5 distance between those connections that you'll see
6 crimped on is the distance roughly of where I saw the
7 nicks and some shenanigans going on there. So I just
8 took it all out and put clean wire in.

9 Q. Okay. So if you could, kind of on
10 that photograph, draw some little lines along the
11 area of -- like right above the part of the wire that
12 was nicked by the squirrel.

13 A. Okay.

14 Q. And then write on there above that
15 squirrel nick so that we'll know.

16 A. Okay. Now, in this picture obviously
17 it won't depict those.

18 Q. Correct.

19 A. And these nicks that -- these areas
20 that I'll indicate pertain only to that neutral,
21 so...

22 Q. If you can hold that up so that I can
23 -- we can see.

24 A. So what I did was I circled the
25 repair, labeled it as sleeved, sleeved in wire, and

1 then made a few marks to where the initial stuff was
2 going on.

3 Q. Okay.

4 A. All these are right here if somebody
5 wants to look.

6 Q. And with regard to Exhibit 109, is
7 there an area on there that also had squirrel damage
8 that you could indicate on the exhibit?

9 A. Was 109 that one?

10 Q. Yes.

11 A. Yes.

12 Q. Okay. Perfect. Okay. So I just
13 want to make sure that we have a clear record on a
14 couple of things 'cause we used a lot of photographs
15 and some of the photographs were before the damage
16 was -- occurred and some of them were after the
17 damage and the repair was occurred. So I just want
18 to make sure that our record is clear about what the
19 photographs actually depict. So with regard to
20 Exhibit 104, 105, 106, and 107, those were the drone
21 photographs, correct?

22 A. I believe -- yes.

23 Q. Did I give -- I think I may have
24 given those to the commissioners, or at least two of
25 them.

1 A. Yeah. I know that 109 and 110 is --
2 and 108 I believe is what I'm responsible for. The
3 rest of them were drones -- drone photographs.

4 Q. Okay. So 104, 105, 106 and 107 were
5 drone photographs?

6 A. That is correct, yes.

7 Q. And those photographs -- you marked
8 on those photographs, at least two of them. But
9 there weren't -- you didn't -- you weren't marking
10 actual repairs that you made, correct?

11 A. No. I was marking to where if -- if
12 the damage would have been -- had been there when
13 this picture was taken place the damage would have
14 been visible. So that's all I was marking on those
15 was at the time these pictures were taken, whenever
16 that may be, if the damage would have been there it
17 would have been noticeable. Especially the neutral
18 and the hot leg because they would have been calling
19 in way before they started trying to call in.

20 Q. But those photographs there was no
21 damage?

22 A. There was no damage.

23 Q. Okay. And the areas that you marked
24 were just the areas where the damage ultimately
25 was --

1 A. Was.

2 Q. -- months later?

3 A. Yes.

4 Q. Or a period of time later?

5 A. Yes, correct.

6 Q. Okay. All right. And then the
7 photographs that you took -- let me see. Okay. We
8 didn't talk about Exhibit 108, did we?

9 A. I don't think so.

10 Q. Okay. So let's talk about
11 Exhibit 109 and 110, just to make sure that I can get
12 the record clear on those and then we'll go back to
13 Exhibit 108. So Exhibit 109 and Exhibit 110 show --
14 were taken after the repair was made?

15 A. Correct.

16 Q. And those were taken at my request
17 within the last week or so?

18 A. Yes, correct.

19 Q. Okay. And so the information that
20 you marked on those exhibits shows the actual repairs
21 that you made?

22 A. Yes, correct. And -- yes. And where
23 I found the damage of rodent activity.

24 Q. Yes. Okay. Okay. So let's talk
25 about Exhibit 108.

1 JUDGE SEYER: And Ms. Fields Johnson,
2 before we go there. Could we take a break?

3 MS. FIELDS JOHNSON: Absolutely.

4 JUDGE SEYER: Let's do that. And we will
5 reconvene at four o'clock and you can continue your
6 direct questioning.

7 MS. FIELDS JOHNSON: Okay. Thank you.

8 JUDGE SEYER: Going off the record.

9 (At this point in the proceedings, a short
10 recess was taken.)

11 JUDGE SEYER: We are back on the record.
12 And Ms. Fields Johnson, you may continue with your
13 questioning.

14 BY: MS. FIELDS JOHNSON

15 Q. Mr. Kemp, I'm just going to draw your
16 attention to Exhibit 108.

17 A. Yes.

18 Q. And is this another photograph that
19 you took at my request?

20 A. It is. It's not the best but yes.

21 Q. And it was taken at the same time as
22 those other ones, around May the 5th?

23 A. It was, correct.

24 Q. And so if you could -- so on this
25 photograph, what do I see? Can you tell me what's in

1 the photograph?

2 A. Okay. What you're looking at is the
3 underside of the triplex service that's serving the
4 Boyle's home. And I tried to make it center of the
5 picture. But you'll see two -- you'll see
6 compression connections and then a clean piece of
7 wire in between of it. That's the actual neutral
8 repair that I made.

9 Q. Okay. And if you could indicate on
10 this picture using your pen where the marks were from
11 the rodent?

12 A. It's going to be just about, from
13 dead center, four to six inches on each side.

14 Q. Okay.

15 A. Roughly.

16 Q. And if you -- you've got some little
17 marks, you've marked off that area?

18 A. Yes.

19 Q. And if you could write on there
20 squirrel and -- squirrel damage?

21 A. Okay.

22 Q. All right.

23 A. Got it.

24 MS. FIELDS JOHNSON: And so at this time,
25 I would move for the admission of Exhibits 108, 109,

1 and 110.

2 JUDGE SEYER: Are there any objections to
3 the admission of those documents -- those
4 photographs?

5 MR. BOYLE: I just have serious questions
6 about the dates of these. In 2026, why there can't
7 be a timestamp. I can look on my phone right now and
8 timestamp everything. I don't know why these weren't
9 done. It's like hiding. This is August -- you know,
10 are these from 2025?

11 JUDGE SEYER: Well, I believe he
12 testified, what was it, May 6?

13 THE WITNESS: Yeah. This was less than
14 two weeks ago that the pictures that I marked were
15 taken. That's the ones I can speak of. And I'm
16 pretty sure I've got them timestamped on my cell
17 phone that I take them -- I took them with.

18 MR. BOYLE: Okay. I'll agree with that.

19 THE WITNESS: And again, --

20 MR. BOYLE: I find the other ones hard to
21 believe.

22 THE WITNESS: Again, the ones that I've
23 marked are the ones that I'm responsible for and I do
24 have them timestamped on my phone.

25 MR. BOYLE: I guess I'm just reiterating,

1 it's hard to believe the previous ones.

2 JUDGE SEYER: Okay. With your stated
3 concern -- I don't know if it's an official
4 objection. But with your objection, I'll call it, I
5 will overrule that objection. We'll admit
6 Exhibit 108, 109, 110.

7 MS. FIELDS JOHNSON: My last -- my last
8 couple of questions.

9 BY: MS. FIELDS JOHNSON

10 Q. Based upon your training and
11 experience, was the issue that you repaired something
12 that could occur without negligence of Ameren?

13 A. (TESTIMONY STRUCK FROM THE RECORD.)

14 MS. MARTIN: Objection, legal conclusion.

15 JUDGE SEYER: All right. What was your
16 question again?

17 BY: MS. FIELDS JOHNSON

18 Q. Based on your training and
19 experience, was the issue you repaired something that
20 could occur without the negligence of Ameren?

21 MS. MARTIN: Negligence is a legal --

22 JUDGE SEYER: Right. I'll sustain that
23 objection. So we will strike your answer from the
24 record.

25 BY: MS. FIELDS JOHNSON

1 Q. Did Ameren respond appropriately once
2 it became aware of the issue?

3 A. I responded -- whenever it came to my
4 screen, I responded as fast as humanly possible. So,
5 yes.

6 Q. Okay. And the under one hour
7 response time was, in your opinion, a good response
8 time?

9 A. Exceptional response time.

10 Q. Okay. All right. I have no further
11 questions.

12 JUDGE SEYER: All right. Before we get
13 into cross-examination. My understanding is this is
14 the last witness?

15 MS. FIELDS JOHNSON: Yes, your Honor.

16 JUDGE SEYER: And I don't know, Mr. Boyle,
17 Ms. Boyle, whether you have any rebuttal evidence you
18 want to present. But what I'm thinking is that we
19 would conclude this hearing today. Does that sound
20 reasonable?

21 MS. BOYLE: Yes.

22 JUDGE SEYER: Okay. Whether that is at
23 4:30 or 5:00 or 5:30, I would like to go ahead and
24 complete the hearing today. So I'm seeing nodding
25 that everyone is in agreement with that. And so,

1 Staff, Ms. Kerr, do you have any questions for this
2 witness?

3 MS. KERR: Yes, I do. Thank you.

4 EXAMINATION CONDUCTED

5 BY: MS. KERR

6 Q. Good afternoon.

7 A. Good afternoon.

8 Q. I don't think I have too many but
9 just wanted to --

10 A. Well, let's have them.

11 Q. I think you've answered a lot of
12 questions that I might have -- might have had for
13 you. You said there was the neutral conductor and
14 the hot line -- hot legs that were --

15 A. Yes, ma'am. One hot leg was
16 completely in two and the neutral was broken in two
17 as well.

18 Q. Okay. And those happened at the same
19 time then?

20 A. I'm not saying that they happened
21 simultaneously but they were both damaged upon my
22 arrival.

23 Q. And how are -- how is -- so -- can
24 you probably -- you might have already answered this.
25 But how is the neutral conductor important for safe

1 electrical service to the home?

2 A. Again, the neutral is actually the
3 second step in ensuring that there's an even flow of
4 electricity coming from the source to the customer.
5 Which means in our percentile range of operation,
6 120 volts. So without any existing neutral
7 whatsoever one leg could be producing say 126 volts
8 and one leg producing 118. So with the presence of a
9 neutral what that does is it's basically a circuit
10 completion which is the way alternating current
11 works. It needs to go out in the form of current and
12 it needs to return to -- it's looking to make a
13 circle back to ground, okay. So essentially it's
14 there to help modulate the equal flow of current
15 through each hot leg to the customer's home.

16 Q. Okay. So is it -- it's an important
17 piece of machinery?

18 A. It -- every portion of it is
19 important. But again, that particular neutral alone
20 is one of three steps that Ameren takes to assure
21 that if one neutral fails that we will have some
22 reference to ground for the alternating current. One
23 being our pole ground from the source, second being
24 the service neutral, which is what we're -- what's in
25 question and broken. And the third being a driven

1 ground rod at the actual meter base itself as
2 connected to the customer's bottom portion, where the
3 meter plugs in. Piece number six comes up here and
4 it is driven directly into the ground in lieu of
5 fault and that's prior to entrance into the
6 customer's home. So had all of them failed,
7 absolutely now you got voltage and current running
8 wild. But again, we -- that neutral that was broken
9 was on one of three failsafes that we install to make
10 sure that current has reference to ground.

11 Q. Okay. And Ameren is the one that's
12 -- would know -- you wouldn't expect the homeowner to
13 know that information, would you?

14 A. Not the pole ground or service
15 neutral. They are actually -- and with the -- with
16 the Boyles being there for so long I'm sure this was
17 done prior to them having it installed. But the
18 actual driven ground rod that has the number six that
19 is our last resort for neutral before it enters the
20 home is on the customer's -- customer's
21 responsibility.

22 Q. You said there was -- I'm sorry.
23 Were there any complaints prior?

24 A. Not that I'm aware of, no, ma'am.

25 Q. Okay. Did you investigate other

1 potential causes for the damage?

2 A. With what I found on the scene and
3 with my experience it was fairly obvious. And my
4 main goal is -- you know, as a troubleman we never
5 stop. We fix the job, we go to the next one and
6 that's what we do. So once I verified that the
7 proper voltage had been restored and was supplied to
8 the home that's technically where my job ends. You
9 know, I inspect -- once I'm on-site I inspect from
10 the pole to the weather head of the house. If that
11 is all in good shape and repaired properly and the
12 meter is still intact that's where my job ends. I'm
13 not responsible for the meter base, what they call
14 the mast or anything -- anything on the inside of the
15 home.

16 Q. So you don't know whether there was
17 -- you don't know about the wiring inside the house?

18 A. I would have no way of knowing that
19 'cause again we're not allowed to enter the homes
20 anymore.

21 Q. Okay.

22 A. I will add, during the course of a
23 couple of my tests had I detected -- there was tests
24 I would have done on the outside that I did do on the
25 outside that would have detected if there was any

1 shorts or grounds on the inside. Now, speaking to
2 the level of their wiring, I couldn't tell you, or
3 the schematics. But it would have let me know before
4 I sent full power to them to say, hey, there's
5 something not right here.

6 Q. Did you -- was there -- was
7 everything okay?

8 A. Everything was perfect. Everything
9 came back aces.

10 Q. Okay. So that basically shows you
11 that everything was fine on the inside?

12 A. Yeah. That showed me -- yeah. And
13 that's for my protection so I don't go to put
14 something together and be putting an energized source
15 to a dead shorted load, you know.

16 Q. Okay. Do you know if Ameren had
17 installed any AMI meters at the Boyle's house?

18 A. There was one, yes.

19 Q. And do those collect usage and system
20 data remotely?

21 A. They do collect -- yes. Yes, they
22 do.

23 Q. They provide information regarding
24 voltage irregularities or service interruptions?

25 A. Yes, ma'am.

1 Q. And as far as you know, Ameren has
2 access to all that information?

3 A. Most certainly.

4 Q. And do those -- do you know if AMI
5 data was reviewed in this case?

6 A. That I wouldn't have -- that I'm --
7 completely out of my department.

8 Q. Okay.

9 A. But I'm sure that -- it's logged
10 somewhere.

11 Q. But that would have shown if there
12 was any -- in the print?

13 A. Yes. Yeah. Not necessarily created
14 an alert 'cause there's kind of a bizarre way that
15 those work in order to generate -- and I'll wait
16 until we get to the question 'cause I know it's
17 coming. But I can shed some light on the operation
18 of those.

19 Q. Okay. Like what kind of light would
20 you shed on it?

21 A. Well, the -- in -- it was brought up
22 earlier in the hearing, you know, that, you know, was
23 there a way that Ameren's notified if there's an
24 emergency situation or a disturbance in power, you
25 know, shouldn't we be automatically notified --

1 Q. Right.

2 A. -- through the automated meters. And
3 there's currently a system that we are implementing.
4 The way that it operates now to my understanding --
5 and it's very limited, my understanding. But I know
6 the concept. If two meters go down it'll
7 automatically generate an emergency ticket, lights go
8 out immediately. And again, as troubleman, we are --
9 look for any notes that say break, broke, sparks,
10 fire, power out. Whatever else we got going on those
11 jobs take priority and we go to them right then.

12 But unfortunately -- and I know -- they've
13 either got it fixed or they're working on fixing it.
14 There's two sides of an AMI meter. You've got your
15 reading leg and you've got your power leg. Well, one
16 of those actually is in charge of communicating back
17 to the system. And if you lose the opposite one it's
18 still going to say, hey, we're good, we got -- you
19 know, we got some power here. But you don't
20 necessarily have 240 volts. If that makes sense.
21 And in this particular case that -- kind of
22 speculating that that's the leg that went down. If
23 it didn't -- if you lost the leg and it didn't
24 automatically generate a ticket then it was -- it
25 just happened to be that -- the reading leg.

1 Q. So you wouldn't have gotten a note --

2 A. No. No.

3 Q. -- or an alert?

4 A. No, ma'am.

5 Q. Okay.

6 JUDGE SEYER: Hold on, hold on, hold on.

7 You'll have your opportunity to ask your questions so
8 you might make a note to yourself.

9 MS. KERR: Okay. I don't have any other
10 questions. Thank you.

11 JUDGE SEYER: All right. It's actually
12 Ms. Martin who's up next. Do you have any questions?

13 MS. MARTIN: Just a few.

14 EXAMINATION CONDUCTED

15 BY: MS. MARTIN

16 Q. Maybe a couple.

17 A. Maybe a couple?

18 Q. Yeah.

19 A. Okay.

20 Q. So you said that -- this was possibly
21 hours ago, I don't even know anymore. But you said
22 that generally if there's a power outage it's because
23 of the hot leg not because of the neutral line?

24 A. Most certainly, yes. The neutral
25 line is responsible for not carrying any -- it does

1 not carry any power, energy whatsoever. Like I said,
2 that's one of the three steps that we take to provide
3 a return to ground for alternating current. Where
4 you would notice an immediate loss of power is to
5 lose one of your -- one of your hot legs.

6 Q. One of your hot legs, okay. And are
7 consumers, do they have operation and control hot
8 legs, are they able to fix them?

9 A. No, absolutely not. I highly --
10 highly discourage it.

11 Q. Okay. So that's something that
12 Ameren controls?

13 A. Yes. Yes. And we're -- that's what
14 we do, you know. But yes, we control that.

15 Q. Okay. And you said that the issue
16 with the hot leg being broken is that it meant that
17 there was 120 volts going to the house instead of
18 240 volts. And you said that having only 140 volts
19 go to appliances that take 240 volts for a prolonged
20 period of time is what caused those appliances to
21 fail, correct?

22 A. I'm not going to say what caused
23 those appliances to fail.

24 Q. But in general?

25 A. But in general no neutral, not so

1 much of an issue with this particular neutral broke.
2 And again, 120 volts going to a piece of equipment
3 that operates on 240 volts for a prolonged period of
4 time, and possibly instantaneous, depending on the
5 way it was installed, is going to be -- it's going to
6 be or could be damaged.

7 Q. And I know you then added the
8 instantaneous. But in your opinion, how long is a
9 prolonged period of time?

10 A. Well, there's multiple factors that
11 could play a role in it. Are you in the dead heat of
12 summer, are you in the dead -- middle of winter?

13 Q. What about September 13th?

14 A. September 13th. It was a brisk,
15 overcast day.

16 Q. It was Friday the 13th.

17 A. Yeah. That's probably what all this
18 is about anyway. But anyhow. I really wouldn't want
19 to speculate with any certainty. What I will say is
20 I've seen things for days in that situation and I've
21 seen things in minutes in that situation and both of
22 them have completely different outcomes. And again,
23 I didn't inspect or investigate any further. A lot
24 of it all depends on the installation and what was
25 installed. 'Cause there are certain things on 240

1 volt equipment that you can kind of mitigate, help
2 mitigate that.

3 Q. Okay. And in your experience, you've
4 been working in this field for 25 years, how common
5 is it for people to have a whole home surge
6 protector? Is that a commonality? Or to know about
7 a whole home total surge protector?

8 A. I really don't want to go as far as
9 to say that it's common that I run across it. It's
10 -- I will say that in the last three years it's been
11 a lot -- I've been asked about them a lot more along
12 with solar panels and stuff like that. So something
13 that I virtually never had ever brought up in
14 conversation between me and a customer up to five
15 years ago I may hear about three to five times a week
16 now. And I'm -- technically I'm not allowed to -- or
17 not able to recommend what a customer should need or
18 what they should do on their side. I will say that a
19 whole home surge protector is a good thing.

20 Q. Right.

21 A. And they come with some really,
22 really great insurance. So if one had been installed
23 this conversation would be with them and -- but
24 unfortunately that's the -- this is the situation.
25 But I do encourage them. But again, I'm not allowed

1 to or able to recommend anyone to -- that installs
2 them or to encourage a homeowner to do something one
3 way or another on their personal property.

4 Q. Okay. And -- but this is -- you're
5 saying that even people knowing about whole home
6 surge protectors, that's a -- for it to be common-ish
7 -- common-ish is three to five years you think that's
8 -- that they've been more aware of it?

9 A. It's definitely more aware. And I'm
10 still not going to say this to the point of common.

11 Q. Yeah. Okay. So in your professional
12 opinion it's not something that we can just fully
13 expect all consumers to just have on their house?

14 A. Well, depending on which county
15 you're in.

16 MS. FIELDS JOHNSON: Let me object. I
17 think that question calls for speculation.

18 MS. MARTIN: I'm basing this on his
19 experience and past five years in the changing
20 environment around whole home surge protectors.

21 JUDGE SEYER: I mean, in a lot of ways
22 we're talking about a situation where the horse has
23 already left the barn. So I don't know that you need
24 to continue this line of questioning much further but
25 I will -- I'll overrule the objection and you can go

1 ahead and state your opinion.

2 THE WITNESS: All right. One more time,
3 what was that question?

4 BY: MS. MARTIN

5 Q. So the question was, it's not --
6 Ameren wouldn't -- wouldn't necessarily -- it
7 wouldn't necessarily be realistic for Ameren to fully
8 expect all of their consumers to have a whole home
9 surge protector on their house?

10 A. No. No, I wouldn't think so. But I
11 can go as far as to say I believe that in St. Louis
12 County if you have any new construction done you will
13 have a whole home surge protector installed. I
14 believe that's part of the code that they've
15 introduced now.

16 Q. Okay. But that's not necessarily for
17 a house that was built in 1922?

18 A. Well, right, right. And that goes --
19 that kind of works on both -- both ways.

20 Q. Right.

21 A. We may get into that a little later.

22 Q. Oh, don't worry. I have personal
23 questions to talk to you about.

24 A. Okay. Good, good.

25 Q. But other than that, I am finished

1 with my questions. Thank you.

2 A. Thank you.

3 JUDGE SEYER: Ms. Boyle, Mr. Boyle, do you
4 have questions?

5 THE WITNESS: Uh-oh.

6 EXAMINATION CONDUCTED

7 BY: MS. BOYLE

8 Q. First of all, I want to thank you for
9 coming out that night.

10 A. Oh, you're more than welcome.

11 Q. I truly appreciate you and Streib and
12 Robert Coonce.

13 A. Yeah. Thank you. I do appreciate
14 that.

15 Q. I was afraid to go to sleep that
16 night.

17 A. I hear you. I would have been too.

18 Q. Okay. Do you have a surge protector
19 in your home?

20 A. No, I do not.

21 Q. Do not. Okay. And I wanted to ask
22 you about -- what was it you said that was the
23 customer's responsibility? You were talking about
24 the three different lines and you said one line is
25 Ameren's and then --

1 A. Okay. Gotcha. So the point of
2 attachment from the pole to the house knob on the
3 house, okay, that's ours, that's our responsibility.
4 From the weather head to the meter base itself is the
5 customer's equipment. So basically what we own, what
6 we maintain is the service and the meter that plugs
7 into the socket. Everything else -- every other
8 portion of that equipment belongs to the customer.

9 MR. BOYLE: And we do have a ground.

10 MS. BOYLE: Okay. Okay.

11 BY: MS. BOYLE

12 Q. All right. Okay. So you were
13 talking about the dimensions of the neutral, the
14 circular pattern.

15 A. Uh-huh.

16 Q. Would that have been why -- and since
17 there was partial power, would that have been why
18 when I looked on the website it said we had power on,
19 we had the green light bubble saying that there was
20 no outage, you know?

21 A. And I will ask you -- if you don't
22 mind, let me ask you just to get some clarification
23 before I tell you something incorrectly. Okay. Did
24 -- so did your -- at one point you just had power in
25 half your house, correct? Or just kind of -- just

1 inter -- all --

2 Q. Yeah. It was fluctuating and it was
3 like -- I tell everyone it was like the house was
4 possessed.

5 A. Okay. That makes -- that makes
6 sense.

7 Q. And the burning electrical smell is
8 what was very scary. Because I couldn't -- I kept
9 unplugging stuff but then something else would I
10 guess surge or something and I'd smell that burning
11 smell. And at one point I even went to my neighbor
12 and I'm like should I call the fire department 'cause
13 I didn't know what was making that smell.

14 A. Yeah. Okay.

15 Q. And because I had checked my phone
16 and it said we had power and all my neighbors had
17 power. I just assumed, because we lived --

18 MS. FIELDS JOHNSON: So your Honor, let me
19 interrupt for a second, please, and just --

20 MS. BOYLE: We couldn't interrupt.

21 MS. FIELDS JOHNSON: -- make an objection.

22 JUDGE SEYER: Well, what I said up front
23 was not to interrupt the witness's testimony. But,
24 yes, it is permitted to interrupt to lodge an
25 objection.

1 MS. FIELDS JOHNSON: So I would object
2 that the -- that the Boyles are testifying rather
3 than asking questions. And I would just ask that the
4 Boyles ask questions and that the witness answer the
5 questions and that that be the flow of the
6 conversation, the Boyles ask the question, the
7 witness answers the question not the other way around
8 and that there's actually a question that's asked.

9 JUDGE SEYER: Right. Do you understand,
10 Ms. Boyle?

11 MS. BOYLE: I do.

12 JUDGE SEYER: All right. I will sustain
13 that objection.

14 BY: MS. BOYLE

15 Q. Do you have information on when was
16 the last time -- I know you have the drone pictures,
17 you know?

18 A. I --

19 Q. Not you. But there are drone
20 pictures checking the lines. But do you know when
21 was the last time those lines were actually replaced,
22 like brand new lines?

23 A. I can't tell you an exact date on
24 that. But the triplex is -- the three braided wires
25 is something we've started installing in the last,

1 I'd say, few years. I mean, like ten years. Because
2 it used to be that the three bare open wires coming
3 from the pole. So I really wouldn't have a way of
4 answering when that -- when that was changed out.

5 Q. Okay. And that brings me to my next
6 question. The theory -- you say you saw the chew
7 marks of a squirrel?

8 A. Rodent.

9 Q. Rodent. Would an older corrosive
10 line be easier to chew through versus a brand new
11 line?

12 A. Most certainly. But I saw no signs
13 of anything being corroded.

14 Q. Even though it was really dark out
15 that night? 'Cause it was like nine o'clock at
16 night.

17 A. Hey. I had my headlight on. I had
18 it lit up like Christmas.

19 Q. Okay. And as you know, I stood out
20 there with Rob. And when you went up in the cherry
21 picker, what kind of gear do you wear?

22 A. I wear a safety harness, hardhat,
23 safety gloves, safety glasses, and protective rubber
24 gloves.

25 Q. Why do you wear those protective

1 rubber gloves?

2 A. Because not necessarily protect us
3 from the secondary voltage that we're working on.
4 But it's OSHA policy that we have to wear gloves
5 protecting us from the highest voltage that we could
6 potentially become involved with which is on the
7 primary side of the pole. And that was 4,800 volts.

8 Q. So that brings me back to the theory
9 of the rodent. Wouldn't we have seen a dead rodent
10 in the street?

11 A. Not for chewing on 120 volts.
12 4,800 --

13 Q. You talk about the cat being a ball
14 of fire?

15 A. Yeah.

16 Q. Okay. I cannot believe that that cat
17 would live.

18 A. Well, I --

19 Q. And a cat's much bigger than a
20 squirrel.

21 A. Well, I'm not here to convince you of
22 what to believe or not but I can tell you what I saw
23 and what I've experienced. And I saw it twice. They
24 just freak out in shock and they hit the ground
25 stunned a little bit and run off. And again, you --

1 please keep in mind 120 volts is a lot different than
2 4,000 volts, 7,000 volts, 19,000 volts and 69,000
3 volts which is what our primary subtransmissions are.

4 Q. Okay. And with the home surge
5 protector. You were talking about this. And this is
6 what we were told by Hoffman Brothers that (TESTIMONY
7 STRUCK FROM THE RECORD.)

8 MS. FIELDS JOHNSON: I'm going to object
9 to any questions that -- where she's indicating what
10 Hoffman Brothers told her as hearsay.

11 JUDGE SEYER: I'll sustain that objection.
12 So if you can rephrase that question without
13 involving whatever Hoffman Brothers may have told
14 you.

15 MS. BOYLE: Yes.

16 BY: MS. BOYLE

17 Q. So if the -- if the surge protector
18 doesn't -- if it's there to kind of tell us if
19 something is wrong, how -- how is that still going to
20 protect our home?

21 A. Let me give you a for instance here.
22 Okay. So here's the line coming into your home,
23 here's your meter, okay. Coming from the bottom side
24 of your meter into your home straight to your breaker
25 box that's connected directly to every outlet and

1 every appliance in your home. Well, in between that
2 -- in between that line, instead of going directly to
3 your breaker box it's like another smart breaker that
4 you put in series, you put in between those two. So
5 it's monitoring the voltage that's coming out of the
6 bottom side of the meter prior to it going to your --
7 to your breaker box.

8 Q. So the purpose is -- I mean, does it
9 -- I seriously want to know.

10 A. Yeah. Yeah, for sure.

11 Q. Is it going to shut off the power in
12 our home or will it squeal like my circuit breakers
13 did when they were being compromised by the power
14 surges?

15 A. Yeah.

16 Q. What's going to happen?

17 A. It should -- there's -- from my
18 understanding there's various types. You've got
19 smart operated air brake ones and you've got the ones
20 that basically work like a breaker that's in your --
21 currently probably in your home now. But what it
22 should do is it should kick open just like a breaker
23 in your breaker box opening up that whole complete
24 circuit, you know, stopping anything, good voltage,
25 bad voltage, low voltage. Well, it's not going to

1 stop good voltage because that's what you want. But
2 anything other than what you want in your house it
3 should kick open and say, hey, we better check some
4 stuff out.

5 Q. And so why isn't this just a natural
6 part of home installation when people set up --

7 A. So --

8 Q. -- set up, you know, an account with
9 you when they're moving into a new home? I
10 understand what you said how the newer houses now are
11 automatically having them be put in. But there's a
12 lot of older homes and why isn't that something that
13 isn't part of a program for people to protect them
14 from this type of thing happening?

15 MS. FIELDS JOHNSON: Just let me interject
16 an objection at this point that again that line of
17 questioning calls for speculation that I'm not sure
18 that our witness would be able to answer.

19 JUDGE SEYER: Well, I agree with that. I
20 also question the relevance because although I know
21 you, Ms. Boyle, would like answers as to how things
22 could have been done differently and what have you, I
23 don't know that it relates to whether Ameren violated
24 any statutes or rules or tariffs in this particular
25 case. So I will sustain that objection and you don't

1 -- I would instruct the witness not to answer the
2 question.

3 BY: MS. BOYLE

4 Q. This -- okay. In your experience, do
5 you think most people know what a broken neutral
6 power line is and would they know to call Ameren
7 first or would they take the road like we did calling
8 an electrician?

9 MS. FIELDS JOHNSON: So again, I'm going
10 to have to object that the question calls the -- asks
11 the witness to speculate about what most people would
12 know.

13 JUDGE SEYER: Right. And I'll sustain
14 that objection.

15 MR. BOYLE: We didn't even know about what
16 a neutral line was.

17 JUDGE SEYER: Well, I'll be honest with
18 you, I did not either. In this context at least.

19 MR. BOYLE: We didn't know what the cause
20 was that's why we called an electrician.

21 JUDGE SEYER: But again, the question that
22 you're asking asks this witness to speculate and that
23 is objectionable.

24 MS. BOYLE: I don't have any further
25 questions.

1 JUDGE SEYER: All right.

2 MR. BOYLE: I do.

3 JUDGE SEYER: I'm sorry. Go ahead, Mr.
4 Boyle.

5 MR. BOYLE: All right.

6 EXAMINATION CONDUCTED

7 BY: MR. BOYLE

8 Q. Just to make sure. What are the hot
9 leg and the surge lines made of? Material?

10 A. Material. It would be a poly coated
11 wire. The hot lines -- or the hot legs will be an
12 aluminum wire coated in an insulated poly coat wire.
13 And the neutral will be a bare neutral with a small
14 steel core for maintaining strand.

15 Q. Okay. And how thick is that, the
16 neutral line?

17 A. It varies from service to service
18 depending on -- the load that the customer's
19 anticipated to be drawing determines the size of the
20 service that we're going to install. Typically on a
21 residential home you'll experience what they call a
22 number two or a number four. And if I recall
23 correctly, in looking at those pictures right here,
24 yours is number four which is roughly just a little
25 bigger than that -- a little bigger than that.

1 MR. BOYLE: Okay. Thank you.

2 JUDGE SEYER: And you used a pen --

3 THE WITNESS: Correct.

4 JUDGE SEYER: -- to use an example --

5 THE WITNESS: Correct.

6 JUDGE SEYER: -- how thick that might be?

7 THE WITNESS: An almost Bic style pen.

8 BY: MR. BOYLE

9 Q. So your testimony here, Ameren's
10 testimony is that the rodent chewed both that day and
11 survived some kind of shock and then our appliances
12 were compromised, broken due to that?

13 A. Okay. Now, that's not my -- that's
14 not my statement. But my stance is is I know what
15 the damage was whenever I arrived. Could those two
16 points of damage happen independently of each other,
17 potentially, it could have. That neutral could have
18 been broken or chewed in two prior to it saying, hey,
19 I want to taste a bite of this hot leg over here.

20 And the area to where that hot leg, just
21 so -- we kind of explained a bird on the wire type
22 situation. So if you'll look at these exhibits where
23 that transformer is, everything's covered up minus
24 the neutral. So it wouldn't be impossible for a
25 squirrel to take interest in one of those pieces of

1 wire and stay insulated on another piece of wire and
2 potentially not sustain a shock. But now I will --
3 and that's on secondary. Anything primary voltage
4 and up he's gonna disintegrate virtually instantly.
5 But like I said, as far as those happening
6 simultaneously, I'm not testifying to the fact that
7 they did. I can only speak to what the damage was
8 whenever I arrived there and what I repaired.

9 Q. Okay. So it just happened to choose
10 -- likes our house out of all these wires on the pole
11 and on the street?

12 MS. FIELDS JOHNSON: Well, certainly, your
13 Honor, I'm going to object to that. This witness
14 absolutely can't speculate as to what a squirrel did.

15 THE WITNESS: Again, I'm not a squirrel
16 specialist.

17 JUDGE SEYER: I'll sustain that objection.

18 BY: MR. BOYLE

19 Q. Okay. But if it didn't happen the
20 same day then you would have gotten an alert through
21 the meter due to irregularities, say it happened a
22 day or a week or something later?

23 A. If it chewed the neutral -- if it
24 chewed the neutral in two first we wouldn't have
25 necessarily gotten an alert. And it's highly likely

1 that you could have functioned because of two other
2 references -- two other things that we installed to
3 serve that purpose. And it's -- you know, he could
4 have come back -- this is hypothetical, speculation.
5 Again, I'm not -- I don't know squirrel patterns or
6 how they operate. But he could have come back on
7 another day and did the damage to the hot leg, you
8 know.

9 So like I said -- and that's -- I was
10 sitting back there and I realized -- like you're good
11 with numbers, I'm not that great with numbers. This
12 is -- you know, this is what I do. And I know that
13 you all had been directed and pointed toward that
14 broken neutral when ultimately what caused issues and
15 question is the hot leg, you were only receiving
16 120 volts.

17 Q. That's what caused the damage?

18 A. That's -- I -- I would speculate. I
19 would speculate that it -- yeah. A 240 volt
20 appliance receiving only 120 volts that's left on and
21 trying to operate and cycle and y'all had -- I
22 understand that y'all didn't know this, you know, you
23 didn't know to be turning breakers off and stuff.
24 I'm just saying that a 240 volt appliance receiving
25 120 volts for an extended period of time especially

1 like an HVAC where it counts on that 240 to get
2 started is going to pull and never kick on
3 completely. And you're just -- I heard you
4 explaining what was going on and I was like, yeah.

5 Q. That was about 12:30.

6 MR. BOYLE: What time did our air
7 conditioner break?

8 MS. BOYLE: No. It was about 11 -- I
9 don't know. Everything started about 11:40. It was
10 like once stuff started it was just like the whole
11 house was just possessed, you know. But I know it
12 was 11 -- 11:30, 11:40 because I had come home from
13 the gym and --

14 MS. FIELDS JOHNSON: So again, I will ask
15 the witness not to testify but instead ask questions.

16 BY: MR. BOYLE

17 Q. How can we -- what is -- what does a
18 fault or a break look like that doesn't have -- how
19 can we know that it was from -- not from negligence
20 versus bite marks, wear and tear?

21 A. Well, that's -- where you'd almost --
22 you'd have to kind of rely on integrity of someone
23 who would show up in the middle of the night and have
24 absolutely no reason whatsoever to diminish anything,
25 you know. I have nothing to gain or nothing to lose.

1 I'm -- you just have to exercise some faith on that
2 that what I'm telling you is what I saw.

3 Q. Okay. So you didn't see a squirrel?

4 A. I did not.

5 Q. No video proof of it?

6 A. Suspecting that my flashing lights
7 and the way I came in ripping might have spooked him.
8 It was gone long before.

9 Q. If it existed, right? No proof?

10 A. Well, there was -- it was a squirrel
11 or a big old rat or some kind of toothed bird.

12 Q. Okay. That'll be it.

13 JUDGE SEYER: All right. Are there any
14 questions from the commissioners? All right. I
15 actually have a few questions myself.

16 EXAMINATION CONDUCTED

17 BY: JUDGE SEYER

18 Q. Because I'm not entirely -- and maybe
19 I just missed this. But I'm not entirely -- I don't
20 have a complete picture of this break or breaks,
21 plural, in my head. So you testified that both the
22 single hot leg and the neutral were both broken?

23 A. Yes. Correct.

24 Q. And when you say broken, were they
25 severed in two?

1 A. The -- the -- the neutral was
2 completely in two and hanging down. I spotted that
3 on my approach.

4 Q. Uh-huh.

5 A. Of course I didn't see the -- the
6 transformer side 'cause I automatically drew my
7 attention upon approach. It was the middle of the
8 night. You know. But once I got up there for my
9 repair you develop a sense of feel. And I knew that
10 I had too much slack in one of them hot legs and it
11 wasn't connected. So I moved back over to the
12 transformer.

13 Q. I'm sorry.

14 A. No, no. Yeah.

15 Q. I just let you --

16 A. No. We won't --

17 Q. Well, is it possible that you didn't
18 notice the break in the hot leg because of that
19 twisted pattern to where it was not hanging down?

20 A. Well, not -- not actually. 'Cause
21 the way that we install them near the transformer --
22 can't remember which exhibit it is now but there's
23 one floating around here that shows how we stack --
24 we separate the connections. You may have it. I may
25 have sent it to you. It's got a -- so once we get up

1 to the -- to the --

2 Q. And now you're looking at
3 Exhibits 104 and 105 --

4 A. 104 and 105.

5 Q. -- that you've made some marks on and
6 written some things on it?

7 A. Yes. I've identified where I've made
8 connection -- or repairs on the line upon my arrival.
9 But whenever we get to the -- to the transformer and
10 the connection site we purposely undo the three pete,
11 we stack them for troubleshooting purposes 'cause
12 obviously, just like you brought to the surface, if
13 they had been twisted up, you can't keep track of all
14 of that mess. So we stack them up so on our approach
15 I can take my light, middle of the night and see my
16 three stack connections on both sides. And if one of
17 them's not stacked I know that it's a broken
18 connection.

19 Q. Okay. And so the -- I believe you
20 testified earlier that the neutral wire has a steel
21 core?

22 A. Yes, sir. Yes.

23 Q. And I forgot what you said --

24 A. Aluminum. Aluminum wire.

25 Q. Okay. And so that was -- is your

1 best assessment of why that neutral wire was broken
2 was that a squirrel, likely a squirrel chewed all the
3 way through that wire?

4 A. Uh-huh.

5 Q. And that wire is how thick?

6 A. The wire that's currently -- or at
7 the time that was servicing the Boyle's home is
8 roughly -- roughly the diameter of that Bic pen.

9 Q. Okay. The pen -- you're holding a
10 pen up, --

11 A. Yeah.

12 Q. -- for the record?

13 A. Yeah.

14 Q. And so we're talking maybe a quarter
15 inch to half -- well, not a half inch but --

16 A. Quarter tops.

17 Q. Okay.

18 A. Yeah, quarter.

19 Q. And you also testified earlier that
20 there wasn't any sign of corrosion --

21 A. No.

22 Q. -- at the break --

23 A. Nope.

24 Q. -- or throughout --

25 A. Throughout the -- yeah.

1 Q. And you also testified that you
2 replaced a, what, approximately two foot section of
3 that --

4 A. Uh-huh.

5 Q. -- neutral wire?

6 A. Correct.

7 Q. And I believe you testified that
8 there was evidence of squirrel -- well, I'll say
9 squirrel. But an animal gnawing, what have you, in
10 more than one spot on that two foot section; is that
11 correct?

12 A. Yes, that is correct.

13 Q. So really, besides replacing the part
14 that was completely broken, you were doing a little
15 preventative maintenance, for lack of a better word,
16 so that the other part that was somewhat compromised
17 wouldn't break in the near future?

18 A. That is correct. I replaced all the
19 damaged neutral.

20 Q. And the hot leg that had damage, was
21 that also chewed all the way through, completely
22 broken?

23 A. It was -- the wire was chewed in two.
24 But there was a small piece of insulation that was
25 still contacted but that has no conductive

1 properties. You know, it will not transmit
2 electricity. But like I said, it wasn't completely
3 in two. But the conductive portion of the wire had
4 been chewed all the way in two.

5 Q. And so without sounding like a
6 complete idiot hopefully, --

7 A. Nah.

8 Q. -- when we go from the transformer to
9 the house, you testified that there's 200 -- there's
10 two 120 volt hot legs that are going into the house?

11 A. Yes, sir. That is correct.

12 Q. Those lines that go into the
13 transformer, are those 4,800 volt lines?

14 A. The -- oh. Let's see here. Let's
15 find one that's got a good picture here. If you'll
16 look at Exhibit 105. Looking at the transformer,
17 pointing towards the bottom of the page. I'll wait
18 for everybody. You there? Okay. There alongside of
19 the transformer you'll see three vertical black lines
20 coming off -- coming straight down on the side of the
21 transformer.

22 Q. Uh-huh.

23 A. Okay. Your far left one and your far
24 right of those vertical wires are 120 volts each.
25 Now, if you'll come up to the top of that transformer

1 towards the top of the pole you're going to see -- I
2 know you won't be able to identify it. But it's a
3 switch, it looks like it's approximately -- should be
4 about three feet above the pole. That's where your
5 4,800 volts -- or your four KV starts. So it comes
6 to the top. And what the transformer does is takes
7 that non-usable voltage and transforms it into a
8 usable voltage for the customer.

9 Q. And so your electrical line -- your
10 electrical line that's going from pole to pole along
11 the street is what voltage?

12 A. Okay. At the very top on this
13 particular circuit it would have been four KV,
14 4,000 volts. Now underneath the transformers we have
15 what we call open wire secondary 'cause we don't
16 necessarily have to install a transformer per home.
17 So in good spots where we can access a transformer
18 we'll put a larger one, run the open wire secondary
19 pole to pole and tap off of it to the homes, you
20 know. So that way in the event a storm comes along
21 we've got a truck accessible pole to change that
22 transformer and get the power back on as fast as
23 possible. So there's going to be a primary voltage
24 of anywhere from four KV at the very top. Now, like
25 I said, that would be the very top of the pole. And

1 then anything under the transformer you're going to
2 be looking at open secondary which is going to be two
3 legs of 120 and a neutral.

4 Q. Okay.

5 A. Basically a big industrial extension
6 cord.

7 Q. And so a -- so a squirrel that chews
8 into one of those 120 volt lines that go from the
9 pole -- actually go from the transformer to the
10 house, --

11 A. Uh-huh.

12 Q. -- correct? They're going to
13 experience a shock similar to -- and again, I'm
14 basing this on your testimony earlier.

15 A. Yeah.

16 Q. They're going to experience a shock
17 similar to what you and I experience when we have a
18 wet finger and touch it to an outlet?

19 A. That's exactly -- it's the exact same
20 voltage.

21 Q. But that same squirrel that chews
22 into the line that's between two of your poles along
23 the street is chewing into 4,000 volts?

24 A. 4,000 volts, yes.

25 Q. And is not going to feel anything

1 like --

2 A. No, it's instantaneous.

3 Q. Okay.

4 A. Death.

5 Q. Okay. And again, you've made it
6 clear several times that you are not an expert on
7 squirrels.

8 A. Yeah.

9 Q. And neither am I. But my
10 recollection is that -- that squirrels need to
11 constantly chew, constantly wear down their two front
12 teeth or they just continue to grow where they can't
13 even eat.

14 A. Uh-huh.

15 Q. Is it possible that a squirrel could
16 do -- make some headway, make some damage in a line,
17 whether it be a neutral line or a 120 volt line, a
18 hot leg, and then come back and either that squirrel
19 or another squirrel chew on that same spot?

20 A. Well, it's interesting you ask that.
21 'Cause I do have a -- now, this is a theory. But
22 it's been proven with woodpeckers. How you can put
23 in some brand new poles and just seems like a random
24 pole and then all of a sudden woodpeckers just attack
25 it, you know, they just start just tearing the heck

1 out of it. Well, what they've found is that for
2 whatever reason that particular pole with that power
3 line on it is giving off the same vibration as the
4 larvae that they would -- that they would be
5 targeting on like an oak tree, they're looking for
6 that vibration. So they're just working their tails
7 off trying to get to something that's not there and
8 that's what they've tracked it down to. And I'm
9 curious as if there is not something along that lines
10 that might be involved -- I can't imagine it would be
11 -- it would taste good, but...

12 Q. I don't even want to get into
13 squirrel psychology.

14 A. Yeah.

15 Q. But, yes. Who knows if there's some
16 pleasure that a squirrel takes from that shock.

17 A. Yeah.

18 Q. Okay. So that kind of clears things
19 up for me because I wasn't really sure the extent of
20 the damage to the neutral line or the hot leg.

21 A. Right.

22 JUDGE SEYER: Do any of the parties have
23 follow up questions related to my questions? And if
24 I could find my piece of paper where I keep track of
25 such things, I believe that would be Staff that would

1 be up first.

2 MS. KERR: No, thank you, your Honor.

3 JUDGE SEYER: Ms. Martin?

4 MS. MARTIN: No questions. Thank you.

5 JUDGE SEYER: All right. Mr. Boyle, Ms.
6 Boyle.

7 MR. BOYLE: I don't have a question. But
8 I have a picture of our neutral line, if you'd like
9 to see what it is up close, how thick that it's made
10 of.

11 JUDGE SEYER: I think he explained it
12 fairly well. I don't know that I need to see that.
13 And then -- I've drawn a blank on your name, I
14 apologize.

15 MS. FIELDS JOHNSON: Ms. Fields Johnson.
16 That's fine.

17 JUDGE SEYER: Ms. Johnson, do you have any
18 re-direct?

19 MS. FIELDS JOHNSON: No, I do not.

20 JUDGE SEYER: All right.

21 MS. BOYLE: Judge?

22 JUDGE SEYER: Yes.

23 MS. BOYLE: I did have a question in
24 regards to the phone system. You said you were gonna
25 -- I can't remember the exact verbiage you used. But

1 you talked about in regards to the phone -- the -- it
2 not registering with Ameren what registered on our
3 phone ticket -- or our phone bill. You talked
4 about --

5 MS. MARTIN: I think that she's talking
6 about --

7 MS. BOYLE: -- in the next coming days.

8 MS. MARTIN: Yeah. She's talking about
9 late filed exhibits.

10 JUDGE SEYER: Right.

11 MS. MARTIN: I think that the witness
12 needs excused.

13 JUDGE SEYER: Right. That wouldn't have
14 to do with this witness, that was Ms. Fields Johnson.

15 MS. FIELDS JOHNSON: In general.

16 JUDGE SEYER: All right. So yes, I
17 believe Mr. Kemp and -- you used the phrase champing
18 -- or chomping at the bit --

19 THE WITNESS: Yeah.

20 JUDGE SEYER: -- to dispel some of the
21 information or misinformation that was going into the
22 record.

23 THE WITNESS: Uh-huh.

24 JUDGE SEYER: But I do appreciate your
25 testimony today and you are excused.

1 THE WITNESS: All right. Thank you, sir.

2 MS. FIELDS JOHNSON: Thank you.

3 JUDGE SEYER: All right. No further
4 witnesses on behalf of Ameren, correct? Is that
5 correct, Ms. Johnson?

6 MS. FIELDS JOHNSON: Yes. Sorry, I wasn't
7 in the microphone. No further witnesses.

8 JUDGE SEYER: Mr. and Mrs. Boyle, is there
9 any rebuttal testimony or any evidence you wish to
10 present?

11 MS. BOYLE: Well, when we went to lunch I
12 called Ameren, the general line just now -- earlier,
13 and when Ameren answered they were -- it was an
14 automated system. And it did ask me if the person
15 who was calling was from (redacted) --

16 JUDGE SEYER: Let's strike that from the
17 record.

18 MS. BOYLE: From our home. From our home.

19 JUDGE SEYER: Uh-huh.

20 MS. BOYLE: And I didn't answer, I just
21 said representative. And they repeated that address.

22 JUDGE SEYER: Uh-huh.

23 MS. BOYLE: And I said representative.

24 And then the automated system asked me if I wanted to
25 speak to someone regarding my bill, questions about

1 my account. Nothing about an emergency, nothing like
2 that. And then I once again said representative and
3 then it said I would have to wait until a customer
4 representative was ready. And at that point I did
5 hang up.

6 JUDGE SEYER: Okay. So what you're saying
7 is -- you're providing some rebuttal testimony that
8 rebuts what Ameren's first witness testified to as
9 far as being able to get to an actual person to talk
10 to. Is that my understanding?

11 MS. BOYLE: Well, not only that. But the
12 fact that she said that they don't have record of me
13 calling. Because, unless something has changed as of
14 recently when I called and they picked up, they were
15 using my address. So Ameren knew. And it wasn't a
16 minute long phone call like the several times it was
17 on September 13th. It was probably about a 20, 25
18 second phone call. In that 20, 25 seconds when this
19 automated system picked up Ameren knew it was me.
20 They stated my address.

21 JUDGE SEYER: I see. All right. Would
22 any of the parties like to cross-examine Ms. Boyle on
23 that testimony?

24 MS. FIELDS JOHNSON: Ameren Missouri
25 doesn't have any cross-examination.

1 JUDGE SEYER: All right. And I'm not
2 hearing any other parties indicating that they wish
3 to cross-examine. So unless there's any further
4 rebuttal, is there?

5 MR. BOYLE: I'm just gonna say this
6 neutral cord is -- looks very strong, it's a braided,
7 thick cord. So if people would look at it before, as
8 part of the investigation.

9 JUDGE SEYER: Okay. So we're near the end
10 of the hearing today and the parties have requested
11 transcripts be filed within seven days of the close
12 the hearing. So that would be -- if today is
13 Tuesday, that would be by the close of business next
14 Monday, the 18th of May. The initial briefs on this
15 case are due by June 11th and the reply briefs are
16 due by June 22nd.

17 And I understand, Mr. and Mrs. Boyle, that
18 you're not attorneys and you're not used to filing
19 briefs and what have you. But just to give a very
20 general idea, it's the legal argument that takes
21 pieces of the -- the evidence used to support your
22 case, your argument as to why the commission should
23 find in your favor. So I don't -- I don't -- I don't
24 know that they are absolutely essential but they are
25 just an opportunity for you to make that argument and

1 make that argument using references to the record of
2 today's hearing.

3 The initial briefs -- so all parties, if
4 they are going to file a brief that would be done by
5 June 11th. And then reply briefs. In other words,
6 all the parties have filed their briefs or several
7 parties have filed briefs, it's your opportunity to
8 reply to their briefs, reply to their arguments and
9 try to rebut those arguments in a reply brief. That
10 is due June 22nd. So June 11th, June 22nd.

11 MS. BOYLE: We're at ones who do
12 June 11th?

13 JUDGE SEYER: All the parties, the first
14 deadline is June 11th. If you'd like to file a
15 brief --

16 MS. BOYLE: Ah.

17 JUDGE SEYER: -- on June 11th -- or
18 between now and June 11th. Usually you -- and I'm
19 kind of generalizing. But you typically cannot even
20 file that brief until you've got the transcript
21 because you need to make references to the
22 transcript, places in the transcript where you're
23 supporting your argument. And the transcript won't
24 even be filed till probably May 18th at the earliest.

25 MS. BOYLE: And that'll be online then?

1 JUDGE SEYER: Yes. You can file that, as
2 any of the other pleadings in the case, in that EFIS,
3 that E-F-I-S, system.

4 MS. BOYLE: And the thing that comes out
5 May 18th, that'll be online, we'll receive that
6 online?

7 JUDGE SEYER: The transcript will be filed
8 online, yes. I -- a fault of mine is to go over
9 every single bit of that transcript, and that's just
10 not always possible. But I will review that
11 transcript before it does get filed online to make
12 sure there's not any obvious errors. And if you do
13 see errors yourself you can always point that out to
14 me in a motion to correct the transcript.

15 All right. Are there any other matters
16 that the parties would like to take up before we go
17 off the record? All right. Hearing none.

18 MS. FIELDS JOHNSON: Are we doing closing
19 arguments?

20 JUDGE SEYER: Would you -- you know, I was
21 expecting the briefs to substitute for closing
22 arguments. But if you have a strong desire to make a
23 closing -- I mean, I usually think of closing
24 arguments in multi-day hearings not a single day
25 hearing.

1 MS. FIELDS JOHNSON: No, that's fine. I
2 can certainly make those arguments in the brief.

3 JUDGE SEYER: Okay. All right. Then if
4 there's nothing further, I'll adjourn the hearing and
5 we are going off the record.

6 MS. FIELDS JOHNSON: Thank you.

7 (Hearing was concluded at 5:09 p.m.)
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CERTIFICATE OF REPORTER

STATE OF MISSOURI)
) ss.
CITY OF KANSAS CITY)

I, JILL A. BLESKEY, a Registered Professional Reporter, Certified Shorthand Reporter (IL), and Certified Court Reporter (MO), do hereby certify that the witnesses whose testimony appears in the foregoing hearing was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of this action.


Jill A. Bleskey, RPR, CSR, CCR

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