

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION

3
4
5
6 TRANSCRIPT OF PROCEEDINGS

7 Local Public Hearing
8 March 26, 2008
9 Joplin, Missouri
Volume 3

10

11

12 In the Matter of The Empire)
District Electric Company of)
13 Joplin, Missouri for Authority to)
File Tariffs Increasing Rates for) Case No. ER-2008-0093
14 Electric Service Provided to)
Customers in the Missouri Service)
15 Area of the Company)

16

17

18 CHERLYN D. VOSS, Presiding,
REGULATORY LAW JUDGE.

19

20 CONNIE MURRAY,
ROBERT M. CLAYTON III,
TERRY JARRETT,
COMMISSIONERS.

21

22

23 REPORTED BY:

24 KELLENE K. FEDDERSEN, CSR, RPR, CCR
MIDWEST LITIGATION SERVICES

25

1 APPEARANCES:

2 DIANA CARTER, Attorney at Law
3 Brydon, Swearngen & England, P.C.
312 East Capitol
4 P.O. Box 456
Jefferson City, MO 65102-0456
5 (573) 635-7166
dcarter@brydonlaw.com

6 FOR: The Empire District Electric
7 Company.

8 LEWIS R. MILLS, JR., Public Counsel
P.O. Box 2230
200 Madison Street, Suite 650
9 Jefferson City, MO 65102-2230
10 (573) 751-4857

11 FOR: Office of the Public Counsel
and the Public.

12 JENNIFER HEINTZ, Associate General Counsel
13 P.O. Box 360
200 Madison Street
Jefferson City, MO 65102
14 (573) 751-3234

15 FOR: Staff of the Missouri Public
16 Service Commission.

17

18

19

20

21

22

23

24

25

1 P R O C E E D I N G S

2 JUDGE VOSS: Good afternoon, everyone.

3 It's Wednesday, March 26th. The Missouri Public Service
4 Commission has set this time for local public hearing in
5 Case ER-2008-0093, in which the Empire District Electric
6 Company seeks to implement a rate increase for its
7 electric services.

8 The Missouri Public Service Commission
9 regulates the rates charged by investor-owned utility
10 companies in Missouri to ensure that those rates are just
11 and reasonable. The Commission also regulates the quality
12 of service and safety of operations of those utilities.
13 I'm Cherlyn Voss. I'm the Regulatory Law Judge assigned
14 to this case, and I'll be presiding over this hearing this
15 afternoon.

16 There are five Commissioners on the
17 Commission, two of which are with me right now:
18 Commissioner Connie Murray.

19 COMMISSIONER MURRAY: Hello.

20 JUDGE VOSS: And Commissioner Jarrett.

21 COMMISSIONER JARRETT: Good afternoon,
22 everyone.

23 JUDGE VOSS: I believe a couple other
24 Commissioners will be coming in during the course of the
25 proceeding.

1 This is the official hearing of the
2 Missouri Public Service Commission, and the statements and
3 testimony received today will be part of the official case
4 file. Although not all the Commissioners are here this
5 afternoon, they will all be able to review the comments
6 made today.

7 For the purpose of the hearing today, we
8 will be discussing the rate increase proposed by Empire.
9 It's your opportunity to give your comments and questions
10 regarding your position on that proposed rate increase.

11 If you're unable for any reason to testify
12 today, there are fliers at the door that have a space for
13 you to enter comments, and they include both the
14 Commission's mailing address, website and fax number. You
15 can fill the form out today and give it to a Staff member
16 or fill it out later and mail or fax it to the Commission.
17 You can also enter your comments directly by going to the
18 Commission's website. If you have questions, you can
19 reach the Commission's Staff or the Public Counsel at the
20 numbers that are located on those fliers.

21 Also, let everyone know that Commissioner
22 Robert Clayton has also just joined us, so three of the
23 five Commissioners are with us right now.

24 For witnesses who wish to testify live,
25 I'll call the name of each witness, or actually Mr. Ochoa

1 will call the name of each witness who signed up to speak
2 in the order they've signed up. When your name's called,
3 please come to the podium and spell your name for the
4 record. I'll ask you a series of preliminary questions,
5 and then you'll be able to give your statement. The
6 Commissioners may have questions for you, as may some of
7 the counsel present. Please stay at the podium until I
8 excuse you to make sure that all of your -- all the
9 questions have been addressed.

10 And I will say due to some technical issues
11 webcasting, any party's counsel that's there that has
12 questions for a witness, please speak up because I'm going
13 to assume there are no questions unless you pop up and let
14 me know that you have questions.

15 When everyone has a desire -- excuse me.
16 When everyone who has a desire to speak has had the
17 opportunity to do so, we'll conclude the hearing. Do any
18 of the parties or any people present have any questions
19 before we begin?

20 MR. OCHOA: No, your Honor.

21 JUDGE VOSS: Great. Then we're going to
22 begin now by taking entries of appearance. I'd like to
23 begin with counsel for the Empire District Electric
24 Company.

25 MS. CARTER: Diana Carter, Brydon,

1 Swearengen & England, P.C., 312 East Capitol Avenue,
2 Jefferson City, Missouri 65102.

3 JUDGE VOSS: Thank you. Office of the
4 Public Counsel?

5 MR. MILLS: On behalf of the Office of the
6 Public Counsel, my name is Lewis Mills. My address is
7 Post Office Box 2230, Jefferson City, Missouri 65102.

8 JUDGE VOSS: The Commission Staff?

9 MS. HEINTZ: Jennifer Heintz and Steven
10 Reed for the Staff of the Commission, P.O. Box 360,
11 Jefferson City, Missouri 65102.

12 JUDGE VOSS: Are any other parties
13 represented by counsel that would like to make entries of
14 appearance at this time?

15 MR. OCHOA: I don't see any, your Honor.

16 JUDGE VOSS: Hearing none. Do the
17 Commissioners have any introductory comments they'd like
18 to make?

19 (No response.)

20 JUDGE VOSS: Gregg, please call the first
21 witness.

22 MR. OCHOA: Okay. Mr. Larry Choteaux.
23 C-H-O-T-E-A-U-X, oh, I'm sorry. I apologize.

24 MR. CLOTEAUX: I'm Larry Cloteaux,
25 C-l-o-t-e-a-u-x. I live at 607 Highland Place, Neosho,

1 Missouri 64850.

2 (Witness sworn.)

3 JUDGE VOSS: And are you currently a
4 customer of Empire?

5 MR. CLOTEAUX: Yes, I am.

6 JUDGE VOSS: Please proceed with your
7 comments.

8 MR. CLOTEAUX: A lot of this Empire has
9 brought the problems to themselves because I called in
10 '06, I called August, September, October and November
11 about trees that were on the lines. They didn't cut them.
12 I talked to the man that reads the meter. He turned it
13 in. They still never cut the line -- the trees. When the
14 ice storm hit, it took out transformers, power lines and a
15 neighbor's weatherhead. All of this was taken out.
16 Empire still didn't come out and do anything.

17 This was -- I had the -- after the ice
18 storm, it took out the trees and the lines going down to
19 the high school and to the junior high school. When they
20 replaced the pole and the transformer, they never put the
21 streetlight back in. Yet the City was -- of Neosho had to
22 pay for that streetlight for three months without any
23 streetlight being installed. The City called Empire, I
24 called Empire, and my neighbors called Empire about
25 replacing the streetlight for the safety of the school

1 children from the high school and the junior high school.
2 It took them three months to put that streetlight back in.

3 My bill in December was \$165. January's
4 bill was 177. February's bill was 175. Our power was out
5 just over 11 days, and yet Empire cannot justify why my
6 bill was higher for January when we didn't have power than
7 it was for the month preceding and the month after the ice
8 storm.

9 I never had this problem with NewMac when I
10 lived in McDonald County, but ever since I moved up into
11 Neosho I've had problems with Empire. I -- the man that
12 came out and trimmed trees, we had vines growing up the
13 pole that covered a transformer and was going down the
14 power lines. When it rained, you could see arcing.
15 I called Empire, and it took them over two months to come
16 out and do something about those vines.

17 There's no excuse, because kids are coming
18 up from the schools walking by that pole, and if it will
19 arc in the rain, it's got to be dangerous for those kids,
20 and Empire doesn't seem to care about the safety of anyone
21 in situations as this. Thank you very much.

22 JUDGE VOSS: Thank you. Commissioner --
23 Commissioner Murray, do you have any questions?

24 COMMISSIONER MURRAY: Just one. That is
25 the vines on the pole that -- where you said you observed

1 the arcing, has that currently been repaired?

2 MR. CLOTEAUX: The arcing -- this is vines,
3 they call them grape vines, but there's water in the
4 center of these vines, and when the vines grow, if you cut
5 them, you can see water coming out of them. When they're
6 going up, they covered the transformer. You couldn't even
7 see the transformer, and it was going down the power lines
8 on three different high voltage lines and it was arcing
9 between the lines when it would rain.

10 COMMISSIONER MURRAY: Okay. And my
11 question is, has that been cut? Has that been trimmed
12 away now?

13 MR. CLOTEAUX: I didn't -- pardon?

14 MR. OCHOA: Has that problem been fixed?

15 MR. CLOTEAUX: They haven't cut the vines.
16 They've come in and sprayed weed killer on them, but they
17 never cut the vines out and taken them out, but some of
18 them are starting to regrow. But they haven't cut the
19 vines. They're still going up and covering the
20 transformer and going down the lines. They just sprayed
21 weed killer on them to kill them. They never removed the
22 vines.

23 COMMISSIONER MURRAY: All right. And your
24 testimony is that they're coming back to life?

25 MR. CLOTEAUX: Some of them are starting to

2 COMMISSIONER MURRAY: All right. Have you
3 reported that to Empire?

14 COMMISSIONER MURRAY: All right. Thank
15 you. No other questions.

17 COMMISSIONER CLAYTON: Mr. Cloteaux, I have
18 several questions about tree trimming, but in the interest
19 of time, I just want to thank you for your -- your
20 comments. I think they're very important relating to tree
21 trimming and the vines on the equipment. It's been an
22 issue before the Commission on several different
23 occasions, and I appreciate you bringing it to our
24 attention. Thank you.

1 COMMISSIONER JARRETT: Yes. Good
2 afternoon, Mr. Cloteaux. I just had one question.

3 I take it that you are dissatisfied with
4 the customer service you've been given?

5 MR. CLOTEAUX: I'm very dissatisfied with
6 Empire's service. From the response I've gotten from
7 them, I'm not at all satisfied with their services.

8 COMMISSIONER JARRETT: When you called in
9 to the -- to the folks at Empire, are they -- are they
10 pleasant to you? Are they rude? How would you describe
11 their demeanor?

12 MR. CLOTEAUX: When I called Empire, I --
13 they do a lot of talking, but they haven't given the
14 service. Like the streetlight, I finally went down to
15 Empire and talked to the engineer, and he sent a crew out
16 to replace that streetlight. But when I call, I don't get
17 any response. I mean, they tell me a lot of things, but
18 that's as far as it goes.

19 COMMISSIONER JARRETT: Okay. Well, thank
20 you very much, Mr. Cloteaux. I don't have any further
21 questions. Thank you for your testimony. We appreciate
22 it.

23 MR. CLOTEAUX: All right. Thank you.

24 JUDGE VOSS: Thank you, Mr. Cloteaux.

25 You're excused. Next witness, please.

1 MR. OCHOA: Carol Cook. Okay.

2 Charles Rutledge.

3 MR. RUTLEDGE: My name is Charles Rutledge,
4 R-u-t-l-e-d-g-e, 5597 Jutoe, Seneca, Missouri 64865, and
5 as I can't direct questions to the --

6 JUDGE VOSS: Mr. Rutledge, one moment,
7 please. I need to swear you in. For all other witnesses,
8 there's no need to give your address for the record.

9 (Witness sworn.)

10 MR. RUTLEDGE: I do.

11 JUDGE VOSS: Thank you. And are you
12 currently a customer of the Empire District Electric
13 Company?

14 MR. RUTLEDGE: Yes.

15 JUDGE VOSS: Thank you. Please proceed.

16 MR. RUTLEDGE: I'm not altogether sure it's
17 appropriate for me to -- in this rate increase request to
18 be looking beyond this particular rate increase. However,
19 I think that we're going to have to because we have
20 several things that have transpired after the filing of
21 this rate increase, and I notice that this rate increase
22 is -- is a revised electric service tariff sheet. So I
23 guess one question I would have to the company is what is
24 the purpose of the revision and what was the revision, or
25 what was the original request and why the change?

1 JUDGE VOSS: That might be a question
2 better addressed to the company representative
3 individually. This is your opportunity to give your
4 comments, because the Commission has to evaluate the case
5 as a neutral unbiased participant, they're not allowed to
6 give opinions or statements or answer direct questions at
7 this time. We just want to find out your opinion and your
8 background and what your concerns are regarding the rate
9 increase request. Hopefully there's someone from the
10 company or the Staff that would be able to address your
11 questions today. Will that help you?

12 MR. RUTLEDGE: Okay. I thought that's
13 who -- I thought that's who I was addressing that to was
14 the company.

15 JUDGE VOSS: What I'm saying is address to
16 them after you testify.

17 MR. RUTLEDGE: Well, most of my questions
18 have to deal with that.

19 JUDGE VOSS: Mr. Rutledge, would you prefer
20 to talk to the company person and testify later in this
21 proceeding?

22 MR. RUTLEDGE: Okay. I've been informed
23 that I need to discuss that with the company at a later
24 time.

25 I was noticing on the -- on the

1 experimental regulatory plan which is -- is allowable
2 under the agreement, which is in effect for five years,
3 well, 2006, 2010, and I noticed there that there's a
4 clause in there that says the company must reduce its rate
5 base in future rate proceedings by the amount of any such
6 amortizations previously included in its rates, thereby
7 lowering future customer rates, and I -- I want to
8 encourage the Commission to insist that that's followed
9 through.

10 I applaud the Commission on their good
11 decision to disallow some requests. The Staff's midpoint
12 recommendation to 9.98 percent as I figure that would be,
13 were the decision made that that'd be the figure, then the
14 monthly increase based on a thousand kilowatt hours would
15 be approximately \$9 a month increase.

16 It would be very helpful if that were
17 reduced rather than by 1/8 by 1/4, which would make that
18 26.5, something in that area, which would reduce the
19 monthly rate to about \$8 monthly increase for a thousand
20 kilowatt hour consumer on a monthly basis. I believe that
21 would be helpful to seniors, be helpful to young families,
22 and at the same time it just might keep the company
23 profitable, which is what I'm sure we'd all like to see.
24 Thank you very much.

25 JUDGE VOSS: Thank you. Commissioner

1 Murray?

2 COMMISSIONER MURRAY: No questions. Thank
3 you.

4 JUDGE VOSS: Commissioner Clayton?

5 COMMISSIONER CLAYTON: No questions for me
6 either. Thank you for coming.

7 JUDGE VOSS: Commissioner Jarrett?

8 COMMISSIONER JARRETT: Mr. Rutledge, I have
9 no questions either, but thank you for your testimony.
10 It's been very helpful.

11 JUDGE VOSS: Thank you, Mr. Rutledge.
12 You're excused. Next witness.

13 MR. OCHOA: Dr. Gaskin.

14 JUDGE VOSS: And I wanted to state, the
15 witnesses don't need to give their address for the record.

16 DR. GASKIN: Okay. My name is Dr. L.
17 Gaskin, G-a-s-k-i-n.

18 (Witness sworn.)

19 JUDGE VOSS: Are you currently a customer
20 of the Empire District Electric Company?

21 DR. GASKIN: Yes, ma'am.

22 JUDGE VOSS: Please proceed with your
23 statement.

24 DR. GASKIN: The rate increase that they're
25 asking I believe is overstated, that they always go for

1 double and then hope to get half of it. I think it's a
2 game to be played.

3 As a property owner, I used to have five
4 rental houses, and this is a question to you and the rest
5 of the Commissioners on the board. The ten years that I
6 owned them, I called two or three times every year on
7 different public utilities that the companies would ask
8 for an increase to make a comment or to get an answer, and
9 out of those years, I never got a return call. It's very
10 disheartening to think that as a taxpayer who helps pay
11 all the Commissioners' wages, that they wouldn't have the
12 courtesy to have somebody return a call to ask about the
13 questions I had for the Commission. I know perhaps none
14 of you were there back five, six years ago, but if I call
15 again, I would hope to get an answer on some of these
16 bills that the public utility companies ask for the
17 increases.

18 That's the end of my statement.

19 JUDGE VOSS: There might be somebody there
20 from Staff who can direct you to a good phone number to
21 get some of your questions answered at a later time, which
22 hopefully will resolve why you didn't get your call backs
23 the last time you called. I apologize for that on behalf
24 of all the Commission that was here at that time.

25 Commissioner Murray, do you have any

1 questions?

2 COMMISSIONER MURRAY: I have no questions,
3 but it is important that you be contacting the right
4 number if you call the Public Service Commission. We do
5 have a consumer services division and an 800 number for
6 you to call directly. If there is a case going on, you
7 cannot call and talk to a Commissioner about a pending
8 case because we cannot talk off of the record about a case
9 that we're presently considering, but you should be able
10 to reach someone at the PSC to get your questions
11 answered. So I too apologize for the fact that you ran
12 into a dead end when you attempted before, but please make
13 sure you have the right telephone number.

14 JUDGE VOSS: And that number should be on
15 that paperwork at the back of the room.

16 DR. GASKIN: May I come back to the lady --
17 the Commissioner that just spoke? When I called the
18 office, I looked it up to make sure I had the right phone
19 number and the right department when I called to direct
20 the questions I had, like one for the electric, one for
21 the water, whatever it might have been. I went to that
22 office and got a phone number.

23 COMMISSIONER MURRAY: And you spoke to
24 someone directly?

25 DR. GASKIN: No. I always got a machine,

1 but I had the phone number that I got from the State of
2 who was in charge of the different departments that I
3 wanted to talk to. So someplace down the line apparently
4 they --

5 COMMISSIONER MURRAY: None of us understand
6 what happened there, but if in the future you run into a
7 problem, you might try that 800 number, and someone in the
8 consumer services area will take charge of finding the
9 answers for you if it's -- if that person has to go
10 directly to a department within the PSC, but they will be
11 available to help you.

12 DR. GASKIN: Thank you.

13 JUDGE VOSS: Commissioner Clayton?

14 COMMISSIONER CLAYTON: I have no questions
15 at this time. Thank you for coming.

16 JUDGE VOSS: Commissioner Jarrett?

17 COMMISSIONER JARRETT: Dr. Gaskin, I have
18 no questions either, but thank you for your testimony
19 today.

20 JUDGE VOSS: Thank you, Dr. Gaskin, and I
21 would get a copy of one of the forms from the back of the
22 room. I think they have the number that you would want on
23 the form.

24 MR. OCHOA: Judge, we'll make sure he has
25 that number. The next witness is Mr. Bill Miller.

1 MR. MILLER: My name's Bill Miller,
2 M-i-l-l-e-r.

3 (Witness sworn.)

4 JUDGE VOSS: Are you currently a customer
5 of the Empire District Electric Company?

6 MR. MILLER: Yes, ma'am.

7 JUDGE VOSS: Please proceed with your
8 testimony.

9 MR. MILLER: Well, the first thing is when
10 they have a problem, and it's happened before to me, is
11 when you make a call to a call center, the first thing, it
12 takes you a while to get through, and you'll be put on
13 hold for quite some time. And they finally do answer and
14 you tell them your problem, they say they'll take care of
15 it.

16 And the last time, of course I realize that
17 it was a major storm, but it was nine days before we got
18 our electricity back on. I called several times and
19 finally get through and I tried to ask, you know, how long
20 it would be, where the crews are working, if they were,
21 and they didn't know. So people at the call center knew
22 absolutely nothing about anything that was going on in the
23 field, you know.

24 And one other time we had a windstorm and I
25 called like that and liked to never -- me and my wife one

1 time in a storm, we sat on the phone for about five or six
2 hours with it on hold before we finally got through.
3 That's several years ago. It wasn't this one. This was a
4 different storm, different time.

5 And also the rate increases, within the
6 last year with this 10 percent increase, we had another
7 utility that had a 64 percent increase. That's a
8 74 percent increase in our utilities in a year. The last
9 year my cost of living raise was under 3 percent. So just
10 kind of wondering, when is this going to end? I mean,
11 we're getting 10 to 50 percent rate increases on the
12 utilities, while the cost of living of the people that are
13 paying these bills is under 3 percent, and, you know, it's
14 just -- I just -- somewhere along the way, it's got to
15 stop.

16 And all these utilities, they want fuel
17 increase, they want to be rate increases to what fuel's
18 going up and going down. Well, all of us people out here,
19 we all use this fuel, too. We have nowhere to go to get
20 reimbursed for the fuel we use or the money that we spent.
21 And a lot of people lost a lot of money, spent a lot of
22 money during the ice storm. We have no recourse
23 whatsoever. Most insurances won't pay for generators and
24 gas and a lot of stuff like that, so it's just -- you
25 know, it's got to end sometime. That's all I've got to

1 say.

2 JUDGE VOSS: Thank you. Commissioner

3 Murray?

4 COMMISSIONER MURRAY: No questions. Thank

5 you.

6 JUDGE VOSS: Commissioner Clayton?

7 COMMISSIONER CLAYTON: I have no questions

8 at this time. Thank you for coming.

9 JUDGE VOSS: Commissioner Jarrett?

10 COMMISSIONER JARRETT: Sir, I have no

11 questions either, but thank you for your testimony. We

12 appreciate it.

13 JUDGE VOSS: Thank you, Mr. Miller. You

14 may step down. Next witness, please.

15 MR. OCHOA: Mary Eichelberger.

16 Next name is Mr. Bill Brewers. The next

17 name would be Bill Brewers. Could be Owens. Okay. Sorry

18 about that.

19 MR. OWENS: My name is Bill Owens. I

20 reside at 4201 University Circle, Joplin, Missouri. And

21 what else do you need, your Honor?

22 JUDGE VOSS: How do you spell your last

23 name?

24 MR. OWENS: Pardon? O-w-e-n-s.

25 JUDGE VOSS: Thank you. There is more than

1 one way to spell it. Wanted to be sure.

2 (Witness sworn.)

3 JUDGE VOSS: And are you currently a
4 customer of the Empire District Electric Company?

5 MR. OWENS: Sadly, yes.

6 JUDGE VOSS: Please proceed with your
7 comments.

8 MR. OWENS: I'm new to the Joplin area, and
9 I'm a five-year customer of Empire Electric. I'm not
10 happy with Empire Electric. I'm a former electrician,
11 still a member of Local Union 124 in Kansas City,
12 Missouri. So I know their ways and means a little bit.
13 When you call them, you do get a lady, normally I get a
14 lady, and I realize she's just their answering service, so
15 you really don't get very far.

16 And if you're persistent and keep calling,
17 you still get ladies, and as a result of that, if you
18 point a problem out to them that you absolutely know is
19 correct, and I know that from experience, and you can even
20 designate and show them the area where the problem is,
21 whether it be a flag hanging out or a squirrel in it, like
22 others have addressed, or rain or ice or whatever, they'll
23 finally get irate enough that they'll say, well, how do
24 you know? And as a result of that, I tell them my
25 membership and even give them my card number. But I'm not

1 happy with their service.

2 Today as I stand here, just south of the
3 college on the west side of the road, they still have tree
4 limbs that are in that high line. The college, I don't
5 know how long, if they were out of power, but I spent well
6 over ten days, just south of the college, and were the
7 last ones to get served on their rehookup.

8 And I have friends that got hooked up and
9 half their house worked, half their house didn't work.
10 They got the phasing messed up on their house. And they
11 repeatedly would call in to get restitution on it. And
12 finally a gentleman in one of their singles trucks was out
13 and they flagged him down, my neighbors, and he came over
14 and he said, oh, my goodness, that is wrong, and he got a
15 crew out there immediately. But when you call in, you
16 don't get those results.

17 A question I asked earlier was what they
18 had done in the past when we had storms. We found out
19 they hire that done. That's not too cost efficient when
20 you have your own employees, I wouldn't think. That's an
21 added cost. Couldn't those monies be better spent
22 elsewhere? This is I know in a question form.

23 I've been to Iatan personally as an
24 employee for a local Kansas City contractor. I've been to
25 Sibley Power Plant. I've been to Montrose Power Plant. I

1 spent years at Lacine Power Plant. And my understanding
2 was that those facilities were set up with precipitators
3 and so forth, to use our local grown mined coal that has
4 slag and so forth in it that they don't like because they
5 have to wash it, clean it, and take the clinkers and so
6 forth out of it. But we truck in and rail in all this
7 coal from Wyoming. That's not very cost efficient either.
8 Wouldn't it be easier to get it from Illinois or use our
9 own resources?

10 Many questions arise that I think needs to
11 be addressed by the Commission before they give this rate
12 increase. And I thank you for your time, your Honor.

13 JUDGE VOSS: Thank you. Commissioner
14 Murray?

15 COMMISSIONER MURRAY: No questions. Thank
16 you, Mr. Owens.

17 JUDGE VOSS: Commissioner Clayton?

18 COMMISSIONER CLAYTON: Thank you for
19 bringing these issues to our attention. I don't have any
20 questions at this time. Thank you.

21 JUDGE VOSS: Commissioner Jarrett?

22 COMMISSIONER JARRETT: Mr. Owens, thank you
23 for appearing today and making your comments a part of the
24 record. We appreciate it.

25 JUDGE VOSS: Thank you, Mr. Owens. You're

1 excused.

2 MR. OCHOA: Kenny Cameron. Kenny Cameron.
3 Bear with us, your Honor. Mr. Cameron's in a wheelchair.
4 It will take just a little bit to get forward.

5 MR. CAMERON: My name is Kenneth Cameron,
6 C-a-m-e-r-o-n. I'm from Joplin.

7 (Witness sworn.)

8 JUDGE VOSS: Are you currently a customer
9 of the Empire District Electric Company?

10 MR. CAMERON: Yes. I've been one for 51
11 years.

12 JUDGE VOSS: Is it comfortable for you to
13 give your statement in this position? Do you need to sit
14 down?

15 MR. CAMERON: Yes, I can stand for a little
16 while. I can stand for short times, yes.

17 JUDGE VOSS: Please proceed with your
18 testimony.

19 MR. CAMERON: I can't understand why they
20 are going and giving a rate increase here the people only
21 make a thousand kilowatt hours a month at \$9.75 increase.
22 I live on a fixed income. I live on -- I live on an
23 oxygen generator when I'm not at home. I have used
24 electric heat backup in the wintertime besides my gas.
25 The summertime I have to use window air conditioning units

1 because I have to be in a controlled climate. I live on a
2 fixed income, barely get by as it is now. I will not be
3 able to survive.

4 Your honor, I've talked to them before.
5 They turn around and they say, oh, there's this person,
6 that person and the other company, there's different
7 organizations that will help me out. They only will help
8 out a handicapped person one time use only, and it's only
9 on a shutoff notice. They will not help out a handicapped
10 person on a fixed income month by month. I turn around
11 and take off my grocery money and transportation money and
12 clothes money to pay the electric bill because I have to
13 to stay alive.

14 I don't know why they could not raise this
15 up to the people that use 1,000 -- 1,500 or 2,000 kilowatt
16 hours a month. The bigger business people are the ones
17 that need to be taking this, not us poor middle class and
18 middle class people. We can't get by as it is now, and
19 they keep on going up and up and up.

20 And like one of the gentlemen said, you
21 cannot get any kind of service done when you have trees on
22 your lines. I've had my lines, I've -- the house I live
23 in I was born and raised in. I am 52 years old. I lived
24 there all my life. I know what it is. They have never
25 replaced the line service to my house, and it's been broke

1 down four times. They've reconnected, stretched a little
2 bit tighter. I know the cable's been stretched almost to
3 the maximum to where it's probably losing energy going
4 through it, much less trying to keep tree branches off of
5 it. So that's what I have to say.

6 JUDGE VOSS: Thank you. Commissioner
7 Murray, do you have any questions?

8 COMMISSIONER MURRAY: I have no questions.
9 Thank you.

10 JUDGE VOSS: Commissioner Clayton?

11 COMMISSIONER CLAYTON: Thank you very much
12 for your testimony. I have no questions.

13 JUDGE VOSS: Commissioner Jarrett?

14 COMMISSIONER JARRETT: Mr. Cameron, thank
15 you for your testimony. I have no questions, but thank
16 you for participating today.

17 MR. CAMERON: Thank you very much for your
18 time.

19 JUDGE VOSS: Thank you, Mr. Cameron.
20 Gregg, it might speed things along to have the on-deck
21 witness come to the front as well.

22 MR. OCHOA: Okay.

23 JUDGE VOSS: Thanks.

24 MR. OCHOA: Okay. The on-deck witness is
25 helping Mr. Cameron, so he'll be there in just a second.

1 JUDGE VOSS: No problem.

2 MR. DOPP: Thank you. My name is Robert
3 Dopp. I'm sorry I wasn't ready when you were ready for
4 me.

5 JUDGE VOSS: No problem. We just want as
6 many people to be able to testify as possible and have as
7 much time as they need. Could you please spell your name
8 for the record.

9 MR. DOPP: It's Robert Dopp. That's
10 D-o-p-p.

11 (Witness sworn.)

12 JUDGE VOSS: Are you currently a customer
13 of the Empire District Electric Company?

14 MR. DOPP: Yes, your Honor.

15 JUDGE VOSS: Please make your statement.

16 MR. DOPP: First off, I'd like to say thank
17 you for you guys' time, your Staff's time, and for you
18 being -- for us being here so that we don't have to travel
19 far.

20 My first comment is I know that when making
21 a business plan and trying to get businesses up and
22 running, that when you do business and you're trying to
23 get things going and that, what you do is that you try to
24 set aside a percentage for all, like, 10 percent for
25 charity, and then, of course, you have a percentage for

1 employees, then you have a percentage for other costs and
2 stuff like that.

3 It seems like every time Empire wants a
4 rate increase, it's because of equipment failure,
5 upgrading equipment and stuff like that. My thing is, is
6 that why don't they -- you know, all companies, even, you
7 know, especially small business owner and that, they set
8 aside, like, 10 percent for infrastructure.

9 You know, it would make sense that they
10 would -- that Empire would start putting 10 percent of
11 their income back for infrastructure, but it doesn't seem
12 like that's what they're doing. They seem like they want
13 to take that, build it in, give us a rate increase because
14 they did it, and it doesn't make sense.

15 One of the comments that was made earlier
16 was about tree trimming. Empire said they've been
17 trimming trees for 100 years. No. 1, directional tree
18 trimming has been that way for the last 20 years I know
19 of. Empire said they didn't start trimming trees,
20 directional trimming here in the last four, five years. I
21 don't think that's correct. I think they started tree --
22 trimming their trees directionally when they got this new
23 company that is called Wright out of Des Moines, Iowa.
24 That's when they started directional trimming.

25 Directional trimming, they should have

9 It seems like Empire's always wanting a
10 rate increase every year. We just got through where down
11 here in Joplin, we're just getting finished cleaning up
12 from a major ice storm back in December. Now it looks
13 like Empire is wanting to probably later this year, after
14 you guys approve this one, they're going to turn around
15 and want an increase to cover the cost of the storm then.

20 JUDGE VOSS: Thank you. Commissioner
21 Murray?

1 comments. No questions.

2 JUDGE VOSS: Commissioner Jarrett?

3 COMMISSIONER JARRETT: Mr. Dopp, appreciate
4 your testimony. I don't have any questions either.

5 JUDGE VOSS: Thank you very much, Mr. Dopp.

6 MR. TWENTER: My name is Ronald Twenter,
7 T-w-e-n-t-e-r, Webb City, Missouri.

8 (Witness sworn.)

9 JUDGE VOSS: Are you currently a customer
10 of the Empire District Electric Company?

11 MR. TWENTER: Yes, I am.

12 JUDGE VOSS: Please proceed with your
13 comments.

14 MR. TWENTER: Well, many of the statements
15 I'm going to make have already been covered. I just -- I
16 feel that since we are falling on hard times and near a
17 recession, that maybe some of our executives and our CEOs
18 are getting a little overpaid, and I don't think that's
19 fair and equitable.

20 It boils down to the fact that, in my
21 opinion, and I've been there, a lot of the work is done by
22 the laborers in the field and the clerks in the offices
23 and the grunts, if you will, and if they get a 3 percent
24 raise, well, that ought to be good enough for top
25 management. Maybe since they're special people, they

1 could get 5 percent. But anyway, that's enough of that.

2 They had a 10 percent raise back in January
3 of '07, and I really didn't see a lot of extra tree
4 trimming going on after that. I called myself, several
5 times, and I know a few people at Empire. They're good
6 people, and I called a supervisor, and I did get some
7 trimming done. And I had my neighbor's -- an elderly
8 lady's next door trimmed while she was gone from home, and
9 she wasn't happy, but we didn't lose our power, but my
10 daughter did, and she lives in Joplin, and she was out
11 nine days.

12 And now -- now I see that they're replacing
13 between eight and ten poles there in Joplin near her home
14 at -- around 8th and Florida, 8th and Forest Streets, and
15 my question -- my statement is that they need to -- these
16 poles need to be replaced, they need to do it on a timely
17 manner, they need to get to them before they deteriorate
18 to the point where they fall over or the weight pulls them
19 over.

20 And I've been to other cities. I have
21 siblings that live in Blue Springs, Lee's Summit, up in
22 Seattle, Washington, in Richmond, Virginia. See a lot of
23 cables buried underground in those areas, and if you've
24 got the cables and the power lines buried underground,
25 they're not susceptible to the wind storms and the ice

1 storms and the people's vehicles running into them.

2 I know that can't be done in the older part
3 of town, but it could be done in the new subdivisions and
4 additions, and I just think that's -- that's preventive
5 maintenance.

6 And like to talk just a minute about the
7 generator. It's coincidental or maybe ironic that it
8 needs maintenance now at Asbury right after this storm.
9 Could that have been taken care of earlier by an operator
10 or engineer sees that the -- the generator is not
11 functioning properly, maybe they need to upgrade -- some
12 upgrading or some maintenance?

13 So these things I wanted to speak about
14 while I had an opportunity here. I know that I've had
15 pretty good -- pretty good service, but I attribute that
16 to knowing some people, and that's -- everybody doesn't
17 know people.

18 And -- and then there's the fact that
19 southwest Missouri isn't known for its wealth necessarily.
20 I mean, we have our share of single mothers and disabled,
21 and, you know, the people who are elderly especially, they
22 can't even come to the meeting because they have to walk a
23 quarter mile to get here, but I understand that's the way
24 it works.

25 So we cannot stand another 10 percent

1 raise. It's just impossible. Maybe 3 percent, maybe.
2 But that would be the limit for me. And I don't want to
3 speak for other people, but we can't handle it. It's just
4 impossible. And that's pretty well all I have to say.
5 Thank you.

6 JUDGE VOSS: Thank you. Commissioner
7 Murray?

8 COMMISSIONER MURRAY: No questions.

9 JUDGE VOSS: Commissioner Jarrett?

10 COMMISSIONER JARRETT: Sir, I don't have
11 any questions, but I appreciate your testimony. Thank
12 you.

13 MR. TWENTER: You're welcome.

14 JUDGE VOSS: Thank you. You're excused.

15 MR. HART: My name is Terry Hart, H-a-r-t.

16 (Witness sworn.)

17 JUDGE VOSS: Are you currently a customer
18 of the Empire District Electric Company?

19 MR. HART: Yes, I am.

20 JUDGE VOSS: Please proceed with your
21 testimony.

22 MR. HART: Well, it seems to me that Empire
23 District Electric Company should learn to live within
24 their means. I cannot understand how they can justify
25 raising the top three in the organization with raises over

1 20 percent when people on fixed incomes' raises this year
2 were 3 percent, especially when there's so much, it seems,
3 mismanagement, that these people have been paid to
4 oversee.

5 The case has been made on the tree
6 trimming, the waste of time and equipment when they send
7 four trucks to do one truck's job, and three guys watch
8 while one guy works. This has been the case in three
9 cases I've seen where nine men were watching a general
10 contractor do the work while they were waiting to hook up
11 one line. During the ice storm three trucks sat beside my
12 house for over an hour and a half running their engines
13 watching the other contractors work. I wondered why they
14 wasn't doing something along with the other contractors.

15 The spokesman for Empire District Electric
16 blamed the residents of the area for not trimming their
17 own trees. If you start to trim -- and you also get the
18 commercials from Empire District, don't get near power
19 lines. How are we going to trim the trees if we can't get
20 near the power lines? It's their job. They get paid for
21 doing that. But there again the president up here says
22 they have spent so many million dollars doing it, but in
23 the city of Joplin you do not see trees being trimmed.

24 The other thing about the fixed and low
25 income people, they told us to go get -- you know,

1 spokesman said go get help from other agencies. The man
2 who spoke a minute ago is right. You can get one time
3 help, that's all. So with a 10 percent increase they're
4 asking for, people just can't make it that's got 3
5 percent.

6 Another thing is the waste that they have
7 in their billing systems. We made arrangements with
8 Empire to pay online, and then it's automatically taken
9 out of our checking account every month. We still get a
10 bill every month in the mail, which is cost of paper, the
11 mailing and everything. We never send anything back.
12 It's done electronically.

13 And it seems to me like this is just a
14 double expense for them, which I don't know how many
15 people are doing it, but I'm sure there's quite a few pay
16 online now, and they still send them a paper bill, which
17 is not needed. It's not good for anything except to take
18 up space in our landfills.

19 The other thing is, I've not heard
20 Empire -- they said cut costs by using less energy. We've
21 got all energy efficient bulbs in our house. We've cut
22 costs, and when you cut your cost, you cut your bill, they
23 have to have an increase because they're not making as
24 much money. They're the ones told us to do this, and then
25 you get penalized for doing what they tell you.

1 I just believe that Empire has been like so
2 many others for so long that do whatever we want, we'll
3 just get -- we'll just pass the cost on, and this has got
4 to stop. They've got to be accountable, and it's time
5 that the Public Service Commission started weighing it
6 real heavy to say do they really need this. Or they said
7 they paid a dollar something on their shares. I'm sure
8 everybody in here would like to have shares of Empire
9 District Electric and make the 11 percent that they are
10 requesting. I can't even have a savings account which
11 pays 3 or 4 percent. So, you know, they want more and
12 more and give less and less.

13 That's all I have to say.

14 JUDGE VOSS: Thank you. Commissioner
15 Murray?

16 COMMISSIONER MURRAY: No questions.

17 JUDGE VOSS: Commissioner Jarrett?

18 COMMISSIONER JARRETT: Mr. Hart, thank you
19 for your testimony today. I don't have any questions, but
20 your testimony will be part of the official record, so
21 thank you.

22 JUDGE VOSS: Thank you, Mr. Hart, for
23 taking the time to come down. You're excused. Next
24 witness.

25 MS. SANDERS: I'm Phyllis Sanders, Carl

1 Junction. S-a-n-d-e-r-s.

2 (Witness sworn.)

3 JUDGE VOSS: Are you currently a customer
4 of the Empire District Electric Company?

5 MS. SANDERS: Yes, for 11 years.

6 JUDGE VOSS: Please proceed.

7 MS. SANDERS: We moved down here 11 years
8 ago from Cedar Falls, Iowa. Cedar Falls, we did not
9 realize what a blessing we had there. We had municipal
10 utilities, and they were wonderful. Far cry from what
11 Empire gives us.

12 I have to agree with Mr. Miller, Mr. Dopp,
13 Mr. Flesher (sic), Mr. Hart wholeheartedly, with the
14 exception of one thing. Mr. Hart mentioned he pays by the
15 bank -- runs through the bank, and I also do. I do
16 appreciate the bill because it's a different amount each
17 month, and I do like to make sure I get that correct
18 amount in my checkbook, although they don't have to send
19 the extra envelopes and all the other pieces in there that
20 we don't need.

21 The only other thing, everybody else has
22 mentioned the same things I wanted to mention with the
23 exception of one thing. In the last 11 years we have been
24 without power maybe even for four seconds or two minutes
25 or something numerous, numerous, numerous times, sometimes

1 two and three times in one week. If I have a breadmaker
2 going or have any appliances going, you have to go back
3 and change all your clocks. The bread is wrecked if
4 you're not right there to realize it. I have been very
5 unhappy with the interruptions and I don't understand why
6 we have them.

7 In Iowa, I swear that we lived there for 60
8 years and I swear that I could have almost counted on one
9 hand, possibly two hands the times the power was out. It
10 was because of a storm and we expected it. But that's all
11 I have to say.

12 JUDGE VOSS: Thank you. Commissioner
13 Murray, do you have questions?

14 COMMISSIONER MURRAY: No questions.

15 JUDGE VOSS: Commissioner Jarrett?

16 COMMISSIONER JARRETT: Ms. Sanders, I had
17 just a couple of questions. You talked a little bit about
18 having intermittent power problems. Did you ever bring
19 those to the attention of Empire?

20 MS. SANDERS: I have called Empire. I even
21 wrote a letter to the editor one time about Empire because
22 I got no justification whatsoever from Empire.

23 COMMISSIONER JARRETT: So they were never
24 ever able to tell you what the cause of the problem was?

25 MS. SANDERS: No. All I got was again,

4 COMMISSIONER JARRETT: Okay. Thank you
5 very much. I don't have any further questions,
6 Mrs. Sanders, but I appreciate your testimony. Thanks.

8 JUDGE VOSS: Thank you, Mrs. Sanders.
9 You're excused.

12 (Witness sworn.)

15 MS. PORTER: For 47 years.

18 MS. PORTER: I'm interested always in the
19 money angle of this, so I asked how many customers Empire
20 has, and I was told 160,000 plus 40,000 more, making a
21 total of 200,000. With that multiplied by the \$10 about
22 increase equals \$2 million. They say this will be for
23 five years, so they will be making a profit of 4 million
24 on this.

1 say, well, we're building a new plant, we need the money
2 to build that so that we can service more customers, but
3 we have the increase, but we never get a decrease. And
4 whenever the plant's finished or whatever they're making,
5 they have many, many more new customers, and it seems to
6 me that somewhere in the shuffle we're getting the -- the
7 shaky end of the deal.

8 So anyway, during this ice storm my power
9 went out, and I was only without power for three days, but
10 my neighbors was on a separate line across the street, and
11 they were out for ten days. And I noticed, as other
12 people did, that my bill wasn't down maybe \$10, which
13 isn't very much for being out three days.

14 They didn't have to cut any of my trees
15 because the lines across the street I had to foot the bill
16 of over a thousand dollars to have my limbs cut down.
17 Empire doesn't do it for you. And neither does the
18 telephone company whose lines it was in.

19 My sister had some people out from Empire
20 that said they needed to cut the trees a year and a half
21 ago, and she was one of the speakers that had to go to
22 work, and they have yet to return.

23 Like the lady said, my power goes out
24 frequently, small amounts. I've never called to complain
25 about it because I didn't think it would do any good, and

1 I think that I was right in that.

2 I would like for the many people that are
3 on Social Security, I received a \$33 increase this year,
4 and you-all are asking for \$10 of it. And with the
5 gasoline and everything, I think I come out probably in
6 the hole again, as many others. And especially the people
7 that are on low income wages, you know, that they can't
8 afford this big of an increase, and I think it should be
9 dropped back down because if you -- the amount that says
10 that they would spend on this was \$6 million, and with my
11 figures, they'd have it paid for in three years instead of
12 in five. Thank you.

13 JUDGE VOSS: Thank you. Commissioner
14 Murray?

15 COMMISSIONER MURRAY: No questions. Thank
16 you.

17 JUDGE VOSS: Commissioner Jarrett?

18 COMMISSIONER JARRETT: Ms. Porter, thank
19 you for your testimony. I don't have any questions, but
20 appreciate you appearing here today.

21 JUDGE VOSS: Thank you very much. You're
22 excused.

23 Mr. SEAT: Good morning, your honor.

24 JUDGE VOSS: Good Morning.

25 MR. SEAT: I was here last -- my name is

1 James Seat, S-e-a-t, and I live at 2619 Minnesota in
2 Joplin, and I was here last night.

3 JUDGE VOSS: Yes, I believe I remember you.

4 (Witness sworn.)

5 JUDGE VOSS: Please proceed.

6 MR. SEAT: I didn't sleep at all last night
7 because I'm upset. All these Commissioners and all these
8 CEOs making all this big time money, and I'm on fixed
9 income, Social Security, and all I can get from Social
10 Security is \$765 to last me a week -- or a month, I mean.
11 And I have to pay all -- pay the utility bills and
12 everything that comes in like everybody else, and before
13 the month is over with I'm broke.

14 And I got three grandkids that's about to
15 graduate from high school, one of them is graduating from
16 high school, and I can't even send him \$5 because all
17 these utilities keep going up and taking what I get.
18 Everybody else around here is the same way.

19 So when is it going to stop? If they were
20 in my shoes and they tried to do the same thing that we're
21 trying to do, do you think that they can do it, is pay all
22 the bills and have money left over at the end of the month
23 when they're making gobs of money, which they can put back
24 in there and take a cut in their pay.

25 And that's all I've got to say. Thank you.

1 JUDGE VOSS: Thank you.

2 MR. SEAT: You're welcome.

3 JUDGE VOSS: Commissioner Murray?

4 COMMISSIONER MURRAY: No questions. Thank
5 you, sir.

6 JUDGE VOSS: Commissioner Jarrett?

7 COMMISSIONER JARRETT: No questions. Thank
8 you, Mr. Seat. Appreciate your testimony again.

9 MS. WALKER: Tammy Walker, W-a-l-k-e-r.

10 (Witness sworn.)

11 My name is Tammy Walker. I'm the director
12 for community development at Economic Security
13 Corporation, and I'm giving testimony for our agency.
14 Economic Security Corporation is a nonprofit community
15 action agency and we serve Jasper, Barton, Newton and
16 McDonald Counties.

17 We serve low-income, the needs of
18 low-income people through 35 antipoverty programs, and we
19 apply for and receive a number of state and federal
20 grants. We've seen little to no increases in our funding
21 in our programs, so we've pretty much had level funding
22 for a while now. And in the past year our largest program
23 is Headstart and Early Headstart. We paid over \$55,000 in
24 utility bills for that particular program, and with the
25 proposed increases it's not affordable for that particular

1 program for sure. The Headstart program does not have the
2 extra funds, so reducing services to children and families
3 could be a likely course of action for that particular
4 program.

5 We've also paid Empire in utility bills
6 almost \$40,000, and that's for our offices and outreach
7 centers that we operate in the four-county area. And
8 again, with the additional increase in those utility
9 bills, it's very difficult to absorb those costs without
10 it affecting services.

11 How we think that this is going to affect
12 the low-income people that we serve, in our energy
13 assistance program last year, we processed 5,719
14 applications, and of those applications, 40 percent of
15 those people were disabled and 17 percent were elderly.
16 69 percent of those people applying were renters, and it's
17 fair to say that many of the low-income people who are
18 renting are not living in homes that are energy efficient,
19 so, therefore, their utility bills are going to be
20 considerably higher.

21 For a person who is, you know, making SSI,
22 and that's -- the minimum payment for SSI is \$637 a month,
23 the proposed increase is not affordable.

24 In our energy crisis intervention program,
25 which is a crisis program for utilities, since October of

1 last year we've processed 1,548 applications for
2 assistance with just Empire Electric, and that's over
3 \$400,000.

4 In another program that we operate, we've
5 served over 3,000 households, almost 3,500 low-income
6 people, and this is through our outreach offices in our
7 four counties where people can come in and what we can do
8 is an intake and assessment, ask them a variety of
9 questions about what their needs are so that we can make
10 appropriate referrals in the community and appropriate
11 referrals to programs that we operate ourselves.

12 And again, 36 percent of those households,
13 they were actually working. They had employment income.
14 So not everyone that we serve is on a fixed income, but
15 even though they were receiving employment income, they
16 were still, their budget wasn't working for them. They
17 weren't able to make ends meet.

18 42 percent of the households that we served
19 were drawing SSI and Social Security, and again nearly 64
20 percent of those families were renters. The low-income
21 families that we serve, they struggle paying their basic
22 expenses every month. They have to choose between their
23 utilities and their rent. Can I afford gasoline this
24 month? Can anybody afford gasoline this month,
25 medications, food?

1 of Empire District Electric Company?

2 MR. MILLER: I've been a customer for 57
3 years.

4 JUDGE VOSS: Please proceed with your
5 testimony.

6 MR. MILLER: Well, I attended the meeting
7 here last night, and I think it's fair to say that the
8 people's message to Empire District and the Public Service
9 Commission was we're mad as hell and not going to take it
10 anymore. We just can't afford to pay any more for this
11 valuable -- for this valuable necessity of life.

12 Last night I heard some of the most
13 heartrending stories that you will ever hear. Some of
14 these people, some of these sick people were literally
15 screaming for their lives.

16 When we have another ice storm -- not if,
17 not if, like the corporate people in charge of Empire like
18 to think. When we have another ice storm, these sick
19 people, these sick people know that they are dead unless
20 their power is restored within days. There's no money to
21 buy private expensive generators for them.

22 So I'm afraid their message fell on
23 somewhat deaf Empire ears. Empire's prime purpose is not
24 to save lives but rather to keep the bottom line up and
25 profitability up enough to stay in business. All monopoly

1 businesses like the water company and the gas company
2 never have to listen to their captive customers. So
3 you're just spinning your wheels when you beg for mercy
4 from Empire or any other monopoly.

5 Thank God there is another option. It is
6 this: All of us should buy at least one share, or as many
7 shares of Empire stock as we can afford so we'll have a
8 voice that they can hear. I know many of us can't afford
9 much Empire stock. I worked for a corporation for 35 and
10 a half years, and I don't draw a penny retirement from
11 them. Wife and I exist on Social Security, and -- but I'm
12 going to buy some Empire stock so I'll have a voice
13 because the Public Service Commission may be hearing
14 today, but like I say, the Empire has -- has other
15 priorities.

16 We need to study it, study that annual
17 report and show up at every annual meeting and start
18 kicking ass where it's deserved. And on the other hand,
19 when they do a good job for us, we ought to commend them,
20 pat them on the back and express our appreciation.

21 But the first thing to do is become
22 educated of the facts if we can get at them. What is a
23 rightful increase? I don't know. I don't have any idea.
24 But I know people can't afford much more on top of what
25 they've already paid.

1 After the disastrous ice storm that hit our
2 whole area over a year ago, the people in charge seemed to
3 learn nothing about trimming trees. The Boy Scout motto
4 is be prepared. I'm sure it would have been expensive and
5 effective to that year's bottom line, but it would have
6 been a -- wouldn't it have been cheaper than a loss of
7 money that the second ice storm actually caused the
8 company and their customers a year later? There's such a
9 thing as being a penny wise and dollar foolish.

10 You can run cost cutting into the ground.
11 I'm all for it as long as they're getting the dead wood
12 out of there, but when they start to cut into live wood,
13 like our linemen, that the retired employee of Empire
14 District told about last night, he was working for 43
15 years and he was a lineman and he was a foreman and he
16 said simply that they don't have enough linemen.

17 Well, why don't they? When they cut cost
18 cutting in the ground, then they do away with these
19 necessary people. The company's depending on them and we
20 its customers are depending on the linemen.

21 Who are the real heroes of the ice storms?
22 Well, it was men like my neighbor, Max Yeager, who had to
23 be away from his folks and his home for over a month,
24 literally working night and day to restore power to those
25 customers way down in Missouri. He's the best public

1 relations man you can get. All the people around his
2 residence respect him. And he is Empire's representative
3 face out there for us. So those men shouldn't be cut.

4 Now, why have they been cut? Well, top
5 management says we're going to make the bottom line look
6 good, and any that they can save on cost cutting they can
7 more justify their raises to the board of directors. When
8 they cut costs too much, everybody suffers. So let's use
9 a little good judgment with us.

10 If the man that I told you about retired
11 from Empire last night had been in charge in the ice
12 storms during that first one, he would have said let's get
13 those trees trimmed regardless of cost, and in the long
14 run it would have saved money, maybe not this year's
15 bottom line, but our executives need to look down the road
16 half a dozen years or a dozen years ahead, not just this
17 year to get big raises for themselves. Their customers
18 pay for it, inefficiency, bad judgments in more ways than
19 one. Thank you for hearing me out.

20 JUDGE VOSS: Thank you for coming back
21 again this afternoon. Commissioner Murray, do you have
22 any questions?

23 COMMISSIONER MURRAY: No, thank you.

24 JUDGE VOSS: Commissioner Jarrett?

25 COMMISSIONER JARRETT: Mr. Miller, thank

1 you very much for your testimony. You make several points
2 that are worthy of serious consideration, and I appreciate
3 your testimony. Thank you.

4 JUDGE VOSS: Thank you, Mr. Miller. You're
5 excused.

6 MS. LAYNE: My name is Evelyn Layne.

7 JUDGE VOSS: Did you say Lane, L-a-n-e?

8 MS. LAYNE: L-a-y-n-e.

9 (Witness sworn.)

10 JUDGE VOSS: And are you currently a
11 customer of the Empire District Electric Company?

12 MS. LAYNE: Yes.

13 JUDGE VOSS: Please proceed with your
14 testimony.

15 MS. LAYNE: I am on oxygen, and it's solely
16 because there was no power in January of last year. I
17 developed pneumonia, and I have been on oxygen since. I
18 was never a smoker. I always took care of my health. My
19 problem with my lungs is because I was a -- an employee of
20 the State of Missouri and I was at work in a building and
21 a contractor came in and sprayed the building with bug
22 spray and ruined my lungs. At that time I was given four
23 years to live. I have been retired since January of '95.

24 But I had no problem with my lungs until my
25 power was off in January of '07. When my power went off

1 in January -- in December of '07, I had my son staying
2 with me because he was in Desert Storm and is 100 percent
3 disabled. I called Empire and I also drove to Empire, and
4 three days later my son was taken to Fayetteville because
5 we did not have power restored until eight days after the
6 power went out.

7 My question is, I watched a documentary on
8 PBS, and the State of Massachusetts will pay any customer
9 one-half the cost to have solar panels placed on their
10 property, and they will buy back any power. In Germany --
11 we defeated these people in the second World War, so we've
12 got to be smarter than the Germans. They have solar
13 panels across open fields, up and down every major
14 highway, and on all flat-topped buildings. They don't pay
15 electric bills like we pay here.

16 In Joplin, Missouri, we have just as many
17 flat-topped buildings. We have all of this reclaimed land
18 towards Dunnewig, Webb City and Carl Junction that we
19 could have solar panels placed on. We also have several
20 major highways crossing the state of Missouri that solar
21 panels could be placed on.

22 I was told on this documentary that these
23 solar panels last some 10 to 20 years, and these people
24 are doing just great with solar panels, and you don't have
25 to worry about anybody climbing a pole to replace

1 anything. So why doesn't Empire District wise up and stop
2 taking our money and giving us nothing and get a little
3 ahead of the Germans for a while? I think it would be
4 just great not paying electric bill.

5 That's all I've got to say, and I didn't go
6 to Empire and complain because I have to have oxygen every
7 month, and when the power went off, they came down from
8 Pittsburg, Kansas and brought me a month's supply of
9 portable oxygen because at my house I also have a
10 converter for my oxygen. That's all.

11 JUDGE VOSS: Thank you. Commissioner
12 Murray?

13 COMMISSIONER MURRAY: No questions. Thank
14 you.

15 JUDGE VOSS: Commissioner Jarrett?

16 COMMISSIONER JARRETT: Yes. Ms. Layne, I
17 don't have any questions but I appreciate your testimony.
18 Thank you.

19 JUDGE VOSS: Thank you very much. You may
20 step down.

21 MR. ARNCE: My name is Bob Arnce. I'm 81
22 years plus.

23 JUDGE VOSS: Could you spell your last name
24 for the record, please?

25 MR. ARNCE: Bob Arnce, A-r-n-c-e.

1 (Witness sworn.)

2 JUDGE VOSS: Are you currently a customer
3 of the Empire District Electric Company?

4 MR. ARNCE: Yes, I am.

5 JUDGE VOSS: Please proceed with your
6 testimony.

7 MR. ARNCE: Most of the concerns that I
8 wish to express have already been talked about here today.
9 I would like to say that my -- I feel like that the -- the
10 rate increase is not justified at all. In fact, I think I
11 would suggest that the amount we're paying now is far too
12 much. And I'm sure that those people who weren't able to
13 make the meeting today who were elderly and for other
14 reasons were incapacitated and couldn't be here would echo
15 my feelings on that.

16 I would like to address the problem with
17 preventive maintenance because that I'm familiar with. In
18 my backyard there were numerous complaints about limbs
19 being over power lines, and this was done several months
20 ahead of the storm, and there was no response made. And
21 one particular tree was -- the transformer was covered
22 with limbs and was reported, and we got no response. And
23 the telephone pole that this transformer was supported by
24 started leaning, so the transformer at present is further
25 into the tree limbs.

1 So the remedy was they came out and tied a
2 rope on the telephone pole and tied it off to a tree. And
3 it's that way now in my backyard, and I'd invite any
4 engineer from the Commission -- I think it will be a good
5 idea. I understand they do have an engineering
6 department, that they would come out and see some of the
7 maintenance work that's being done or what is needed. I
8 -- I've been very dissatisfied with the response I get
9 when we report these incidents.

10 Thank you very much.

11 JUDGE VOSS: Thank you. Just one moment,
12 please. Commissioner Murray, do you have any questions?

13 COMMISSIONER MURRAY: Yes. Mr. Arnce,
14 would you please talk to one of the Staff members, the
15 Public Service Commission Staff members there today
16 regarding what you were saying about the condition on your
17 property right now?

18 MR. ARNCE: I would be tickled to death to
19 take him out and show him this condition, and I don't live
20 very far -- I don't live very far from here, at College.

21 COMMISSIONER MURRAY: Thank you.

22 MR. ARNCE: You bet.

23 MS. WHITE: My name is Linda White. I live
24 in Joplin, Missouri. W-h-i-t-e.

25 JUDGE VOSS: Thank you.

1 (Witness sworn.)

2 JUDGE VOSS: Are you currently a customer
3 of Empire District Electric Company?

4 MS. WHITE: Yes. I moved here from
5 California March 17th of 2004, and one thing I can say
6 about California, they do give low-income people -- since
7 my husband had passed away and we'd always paid our
8 utilities out in southern California in full until he
9 passed away, we -- and I had to go on low-income, which I
10 was, they gave every utility from electric, water, gas,
11 telephone and trash a 25 percent break on your utilities
12 every month, until I moved here and then I found out you
13 do not get any kind of help.

14 And I can say that Empire did a good job on
15 my block. I live a block behind Party World, behind -- on
16 7th Street, and 8th Street runs behind me. Empire did get
17 out there. I had neighbors in the alley that had trees
18 that came down, that came down on my brand-new chain link
19 fence that I had paid for for a year, but that's another
20 story. They did get out there and clear them up.

21 I talked to Will. He was very nice, I
22 don't know his last name, but his name was Will. They did
23 a good job of cleaning up the trees. I only had two trees
24 in my backyard. I cut them up by myself with a hand saw.

25 And the only thing is I want to know how

1 much was your profit in 2007? And on Florida I see that
2 they are replacing telephones on Florida and 8th Streets.
3 How much does a pole cost? Because when I was building my
4 brand-new house that I took my income from my house in
5 California and bought me two lots and built me a brand-new
6 small house, I want to know how much the pole cost.
7 That -- I'd like that, and I'd also like to know, they
8 replaced a transformer on Park Street that I watched them
9 that morning put on from my porch, and then they replaced
10 a transformer on 8th Street. I want to know the cost of
11 that.

12 And I still don't believe you need a rate
13 increase because, like, living on a low income, it really
14 hurts. And that's about all I have to say. I'd like to
15 know those three costs.

16 JUDGE VOSS: Ms. White, hopefully there's
17 someone there, either Staff or the company, that either
18 has that information or would be able to get it to you.
19 So I would check with the Staff at the back of the room to
20 make sure that you get the information either from them or
21 from the company. And Commissioner Murray, did you have
22 any questions?

23 COMMISSIONER MURRAY: I don't have any
24 questions. Thank you, Ms. White.

25 JUDGE VOSS: Commissioner Jarrett?

1 COMMISSIONER JARRETT: Ms. White, I don't
2 have any questions either, but thank you for your
3 testimony. It's been very helpful.

4 JUDGE VOSS: Thank you, Ms. White. You're
5 excused.

6 MS. HAILEY: My name is Nancy Hailey,
7 H-a-i-l-e-y.

8 (Witness sworn.)

9 JUDGE VOSS: Are you currently a customer
10 of the Empire District Electric Company?

11 MS. HAILEY: Have been for 45 years.

12 JUDGE VOSS: Thank you. Please proceed
13 with your testimony.

14 MS. HAILEY: I'm a Missouri real estate
15 broker, and my husband and I are builders and developers,
16 and as builders we pay numerous electric bills to the
17 Empire District as well as on our personal home.

18 I have a number of utility bills that I
19 have had over the past three or four months for houses
20 that are under construction and are not occupied that are
21 well in excess of \$100 to \$200 a month, and that's a
22 little bit disconcerting to me whenever those homes either
23 have the thermostat turned down to 55 degrees and are
24 totally unoccupied, how on earth that they could possibly
25 generate that much electricity whenever no one's living

1 there and they are partially unfinished on some of them.

2 And as a builder, we're building homes more
3 efficiently every day to try to help the customers that,
4 you know, are out there that need an energy efficient
5 home. I know that a lot of the older homes are not really
6 that energy efficient. But we can't keep up with Empire's
7 rate increases no matter how energy efficient we try to
8 make those homes.

9 And as a real estate broker for 28 years,
10 I'm seeing people with electric bills that are paying
11 monthly what they're used to paying in its equivalent of a
12 house payment.

13 On my own personal residence, we were
14 without power for over a week, and I'd experienced the
15 same personal problem with my own home as the other people
16 have -- the other people have expressed here with a higher
17 bill for that month that we were without electricity than
18 for the previous two months.

19 When I contacted Empire to get an
20 explanation from their customer representative that I
21 spoke to, she was rather discourteous and informed me that
22 the reason for my increased bill was due to the fact that
23 it took extra electricity to recover from being with no
24 heat for over a week. The only problem with that is we
25 were fortunate enough to own our own generator, and we

1 were able to maintain our heat in our own home.

2 The American economy is in serious trouble,
3 and an exorbitant salary paid to CEOs and top executives
4 are major contributing factors for this. Personally, I
5 don't think that the CEOs, the gentleman that's here
6 today, they're out of touch with reality. And as far as
7 being able to relate to these people and the general
8 public, the elderly and those on fixed incomes and young
9 married couples with children, they have no way of knowing
10 what those people are going through.

11 As I understand it, myself and all these
12 other people that are customers for Empire are -- are
13 going to be -- are the ones that are being asked through
14 this increase to contribute to these CEOs' increases in
15 salaries.

16 The information that I got off of the
17 television last night shows that Mr. Gipson now draws
18 \$925,906 a year. It shows a plus 22 percent increase.
19 Now, I don't know whether this increase is included in
20 that figure or whether it will be an addition to that.
21 But Gregory Knapp, who is the CFO, draws \$348,122 a year,
22 and to that it shows a 35 percent increase, and here
23 again, I don't know whether that is included in that
24 figure or not. And Bradley Beecher, who is the COO of
25 electric, draws \$352,497, and that is showing a plus

1 38 percent increase.

2 You know, I -- if you're asking me to pay
3 for these people's increase, I object to that. I don't
4 feel like they're entitled to it. I think they draw an
5 exorbitant salary the way it is. If they were to only
6 just take a 3 percent increase, which I don't feel like
7 they're entitled to that either, that 3 percent increase
8 would serve 30,000 Empire customers.

9 Therefore, I object to the salary increase
10 that they're requesting, and I'm requesting that the
11 Public Commission (sic) deny this increase that Empire has
12 requested, not only for the increase in the executive
13 salary, but for all of the other reasons that I have
14 mentioned and all of the other people here today have.
15 Thank you.

16 JUDGE VOSS: Thank you. Commissioner
17 Murray?

18 COMMISSIONER MURRAY: No questions, but
19 thank you.

20 JUDGE VOSS: Commissioner Jarrett?

21 COMMISSIONER JARRETT: Ms. Hailey, thank
22 you for your testimony. It will be very helpful as we
23 consider the case, and thank you for appearing today.

24 JUDGE VOSS: Thank you. You may step down.

25 MR. GILBRETH: My name is Dave Gilbreth. I

1 do live here in Joplin, and Empire is -- well, I am a
2 customer of Empire District.

3 JUDGE VOSS: Could you spell your last
4 name, please?

5 MR. GILBRETH: G-i-l-b-r-e-t-h.

6 JUDGE VOSS: Thank you.

7 (Witness sworn.)

8 JUDGE VOSS: Thank you. Please proceed.

9 MR. GILBRETH: I'm very concerned about
10 this increase as well as everybody else here today that
11 you've heard. To give you some example, locally here I
12 was increased by 23 some -- 23 percent by county taxes
13 with, you know, no major improvement to my house the last
14 four or five years. That along with being on fixed income
15 of Social Security, it's hard to get by. Now Empire's
16 coming along and saying, well, we want another 10 percent
17 increase.

18 My background is in the accounting field,
19 and I was just wondering why they can't anticipate, you
20 know, over a long period of time that they may have
21 additional expenses such as ice storms and they can't set
22 back reserves to take care of this like any other business
23 that is aware of problems that they may have in the future
24 and anticipate that and set that money aside rather than
25 stick it to the people every chance they get.

1 And like the lady said just before me,
2 these exorbitant salaries that they pay guys for sitting
3 on their, you know what I'm talking about, for really
4 doing nothing. For the general public, it's very
5 disconcerting to me, and I wish you would very ardently
6 think about giving these people any increase. If
7 anything, give them a decrease and you will get my vote
8 next year. Thank you.

9 JUDGE VOSS: Thank you. Commissioner
10 Murray, do you have any questions?

11 COMMISSIONER MURRAY: No questions. Thank
12 you.

13 JUDGE VOSS: Commissioner Jarrett?

14 COMMISSIONER JARRETT: Mr. Gilbreth, thank
15 you very much for your testimony. Appreciate it.

16 JUDGE VOSS: Thank you. You may step down.

17 MS. SHORT: Joyce Short, S-h-o-r-t.

18 (Witness sworn.)

19 JUDGE VOSS: Are you currently a customer
20 of the Empire District Electric Company?

21 MS. SHORT: I am.

22 JUDGE VOSS: Please proceed with your
23 testimony.

24 MS. SHORT: And I speak for -- thank you.
25 I'm speaking for the Housing Authority of the City of

1 Noel. We have 100 low-income units there. We serve 100
2 low-income units there. We serve 100 low-income families.
3 About half of these are senior citizens. Most of my
4 elderly residents are on fixed incomes. Often it's just
5 Social Security benefits.

6 The increase that Empire seeks and the
7 monthly dollar amount they projected will burden most
8 community members in Noel, particularly my residents. Our
9 per -- annual per capita income in Noel is about \$8,000
10 less than the average in Missouri.

11 Seniors, young working families,
12 particularly those with a single head of household, are
13 already strapped to meet utility payments. Many of our
14 residents solicit utility payment assistance from economic
15 security. Sometimes the agency has funds to assist and
16 sometimes it doesn't.

17 Generally, I'd like to -- I may not be
18 angry enough to testify at a public hearing. We've gotten
19 very good responsive service from Empire District.
20 They've been a good corporate neighbor in Noel, Missouri.
21 We have an excellent lineman down there, Mike Strickland,
22 and after the ice storm I wrote a letter to the --
23 Mr. Gipson actually, thanking him for having that man in
24 our community because he was wonderful.

25 I know that Empire has had a tough couple

1 of quarters, and I know that, like, a few days ago they
2 did consent bonds that they were approved because they had
3 to have cash flow to pay dividends. So it's evident that
4 the economy, increased fuel costs, ice storms, they've
5 really played havoc with Empire's performance recently.

6 And I understand they're requesting a rate
7 increase, but everybody's had a tough couple of quarters.
8 Everybody's impacted by these economic downturns and the
9 increased fuel cost and ice storms. And for my residence
10 particularly, you have to add to that the increased costs
11 for food, health care and other utilities.

12 Empire District's executives continue to
13 earn excellent salaries. The dividends have not been
14 increased, but they haven't been trimmed either. And the
15 folks who will be most severely impacted by this proposed
16 rate hike aren't the ones counting on that good Empire
17 District dividend deal paid with borrowed money.
18 Businesses do tend to cycle, and I would argue that surely
19 Empire District might be able to earn its way to
20 profitability.

21 I'd like the Commission to consider the
22 rate increase carefully. If it has to be, make it a small
23 one, not one that costs my public housing residents an
24 increased additional \$100 a year. Thank you.

25 JUDGE VOSS: Thank you very much.

1 Commissioner Murray?

2 COMMISSIONER MURRAY: I have no questions.

3 Thank you.

4 JUDGE VOSS: Commissioner Jarrett?

5 COMMISSIONER JARRETT: Ms. Short, thank you
6 for your testimony. I don't have any questions, but your
7 testimony's been very helpful. Thank you.

8 JUDGE VOSS: Thank you. You may step down.

9 MR. KELLER: My name is Gary Keller and
10 I've had Empire for 20-some years.

11 JUDGE VOSS: Keller, K-e-l-l-e-r?

12 MR. KELLER: Keller, K-e-l-l-e-r.

13 (Witness sworn.)

14 JUDGE VOSS: Please proceed.

15 MR. KELLER: Everybody out here has pretty
16 much well covered about everything, but they're talking
17 about -- my understanding, they had people that did this
18 tree trimming stuff, and to save some money, they let
19 those people go and hired in contractors, which was a
20 stupid thing to do in the first place 'cause anybody knows
21 how contractors are. You don't get the work out of them
22 as normal.

23 They talked about the wages they make.

24 That really angers me. You know, I mean, that's too much
25 money for people to make in the first place, and then ask

1 for an increase.

2 They said that -- Empire said that you can
3 go to different agencies I guess to get help. That's fine
4 for the elderly and the low-income people. They need the
5 help. But people like myself, I live paycheck to
6 paycheck, but I make too much money for that help.
7 Besides that, my taxes pay for that help. So there, you
8 know, people like myself are getting hit with a double
9 whammy.

10 You'd have a lot more people out here today
11 except for the fact a lot of people didn't know about this
12 until today and they're at work. Most people are at work.
13 They can't be here.

14 I really don't know what else to say. This
15 is ridiculous. I mean, a 10 -- 10 percent increase is
16 going to hurt people. It's going to hurt the economy here
17 with businesses, individuals. Empire as far as I'm
18 concerned is like a monopoly. Here in Joplin, Webb City,
19 Carthage, Butler -- not Carthage so much as Carl Junction,
20 we have to deal with Empire, and the only protection we
21 have against that are you people, and I don't -- I don't
22 want to believe that you people can let that happen.
23 That's all I've got to say.

24 JUDGE VOSS: Thank you. Commissioner
25 Murray?

1 COMMISSIONER MURRAY: I have no questions.

2 Thank you.

3 JUDGE VOSS: Commissioner Jarrett?

4 COMMISSIONER JARRETT: Mr. Keller, thank
5 you for your testimony. I don't have any questions, but
6 it's been most helpful. Thank you.

7 JUDGE VOSS: Thank you. You may step down.

8 MR. KELLER: Thank you.

9 MR. OCHOA: That was the last name on the
10 witness sheet. Is there anyone else that wishes to
11 testify?

12 MS. FRYER: My name is Julie Fryer,
13 F-r-y-e-r.

14 (Witness sworn.)

15 JUDGE VOSS: Are you currently a customer
16 of the Empire District Electric Company?

17 MS. FRYER: For 45 years --

18 JUDGE VOSS: Thank you. Please proceed
19 with your testimony.

20 MR. JEWELL: -- in the same house. In the
21 same house, and at the time that I first started paying
22 electric bills, they were about \$13 a month. Now they're
23 116. It's a 900 foot -- square foot house, very small.
24 Energy efficient, yes, they say be energy efficient, go
25 buy a new furnace, go put on new windows, all this, but

1 they fail to tell us how to pay for all those things when
2 you're on a fixed income. You just don't have that extra
3 money and nowhere to go get it because you can't afford to
4 pay the interest and pay it back.

5 This increase that's being asked for now,
6 we've had increase after increase after increase on all
7 utilities, not just this one. I'm not just fingering the
8 one. It's everything. But you people have the ability to
9 stop this one from hitting everybody so hard. This goes a
10 little deeper.

11 And nobody's touched on this in all the
12 comments that have been made. I have a young person so
13 I'm around young people all the time. People, I can tell
14 you right now that young people are up to here already.
15 I'm old. I'll make it through this. It'll use up my
16 savings, but I'll make it through it. The young people in
17 this country aren't going to stand for it.

18 We're putting a nail in the coffin of this
19 country if we continue this way. Not only are you going
20 to see the kids rebelling against all of this, if you
21 haven't noticed lately, crime's up. People can't eat.
22 They can't take care of their babies. We need help.
23 Economy is horrible. We're going into recession, or so
24 they tell us, if we're not already there. We need help.
25 Somebody needs to pay attention and do something for the

1 good of the whole four-state area, whatever we cover with
2 Empire District, and any other utility.

3 We have some hard decisions to make. We
4 have some hard times ahead of us, and it's our young
5 people and our elderly that are on fixed incomes that are
6 going to suffer, and believe me, even the middle bunch of
7 you people are going to suffer, too, because it's going
8 to fall on your shoulders to cover all the shortfall.
9 It's got to come from someplace.

10 Maybe the utility companies ought to think
11 before they make all these wonderful improvements that
12 they say they have to have. Well, do they really have to
13 have them to make their things run or is it just nice to
14 have all that new stuff like it's always been? Maybe
15 somebody needs to think before they do these things and
16 then come to us and expect us to pay for it.

17 Thanks for listening to me. I think these
18 are some points that weren't brought out on the other
19 comments that have been made. And I don't mean to be on a
20 soapbox, but times are tough, and we need to do something
21 and face reality. Thank you.

22 JUDGE VOSS: Thank you. Commissioner
23 Murray?

24 COMMISSIONER MURRAY: No questions. Thank
25 you.

1 JUDGE VOSS: Commissioner Jarrett?

2 COMMISSIONER JARRETT: No questions.

3 Ms. Fryer, as far as I'm concerned, you can get on your
4 soapbox any time you want. So I appreciate your comments.
5 Thank you.

6 MS. FRYER: Thanks.

7 JUDGE VOSS: Thank you, you may step down.

8 MR. OCHOA: Is there anyone else that
9 wishes to testify today?

10 Your Honor, I do not see anybody. I
11 believe that she was the last witness.

12 JUDGE VOSS: Thank you. I'd like to thank
13 everyone again for taking the time out of their day to
14 come and testify, give information to the Commission, and
15 this will conclude this local public hearing. Thank you.

16 WHEREUPON, the local public hearing was
17 concluded.

18

19

20

21

22

23

24

25

1 C E R T I F I C A T E

2 STATE OF MISSOURI)
3 COUNTY OF COLE) ss.

4 I, Kellene K. Feddersen, Certified
5 Shorthand Reporter with the firm of Midwest Litigation
6 Services, and Notary Public within and for the State of
7 Missouri, do hereby certify that I was personally present
8 at the proceedings had in the above-entitled cause at the
9 time and place set forth in the caption sheet thereof;
10 that I then and there took down in Stenotype the
11 proceedings had; and that the foregoing is a full, true
12 and correct transcript of such Stenotype notes so made at
13 such time and place.

14 Given at my office in the City of
15 Jefferson, County of Cole, State of Missouri.

16

17 Kellene K. Feddersen, RPR, CSR, CCR
18 Notary Public (County of Cole)
My commission expires March 28, 2009.

19

20

21

22

23

24

25