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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
TRANSCRIPT OF PROCEEDINGS

LOCAL PUBLIC HEARING  
Volume 2  
MARCH 22, 2011

JOPLIN, MISSOURI 12:00 P.M.

IN THE MATTER OF THE EMPIRE DISTRICT  
ELECTRIC COMPANY OF JOPLIN, MISSOURI  
FOR AUTHORITY TO FILE TARIFFS INCREASING  
RATES FOR ELECTRIC SERVICE PROVIDED TO  
CUSTOMERS IN THE MISSOURI SERVICE AREA  
OF THE COMPANY

FILE NO. ER-2011-0004  
HAROLD STEARLEY, PRESIDING  
SENIOR REGULATORY LAW JUDGE

JEFF DAVIS  
COMMISSIONER

REPORTED BY:  
ERIKA SCHAFFER  
MIDWEST LITIGATION SERVICES

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A P P E A R A N C E S

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PROCEEDINGS

JUDGE STEARLEY: Today is Tuesday, March 22nd, 2011. The Commission has sought this time for a local public hearing in case style number ER-2011-0004, which is captioned as, In The Matter of The Empire District Electric Company of Joplin, Missouri Seeking Authority to File Tariffs Increasing Rates For Electric Service Provided to Customers in The Missouri Service Area of The Company. My name is Harold Stearley, and I'm the Regulatory Honorable Judge presiding on this matter. With me today, is Commissioner Davis. And, the procedure we're going to follow today is, I will be taking entries of appearance from counsel, I will be going down our list for people who have signed up to testify, and when I call your name, if you could please come forward to the microphone, state and spell your name so our court reporter can get it down on our record correctly and we'll have you give your comments. Before I begin, let me ask Commissioner Davis, would you like to make any direct remarks?

COMMISSIONER DAVIS: I just want to thank everyone for coming this afternoon and tell you that I look forward to hearing your testimony. Particularly, if you have problems related to the quality of your service that you are receiving, or anything else that

1 you feel that we need to know about. We realize that  
2 these are tough economic times, you know, unfortunately  
3 we don't have a whole lot of answers because, you know,  
4 as commissioners we are required to follow the law, to  
5 do what the law tells us to do, which is to set just and  
6 reasonable rates, based on actual expenses that we have  
7 in our books. So thank you, and I look forward to  
8 hearing your testimony

9 JUDGE STEARLEY: All right. Thank you  
10 Commissioner and we'll take entries of appearance,  
11 beginning with the Empire District Electric Company

12 MS. CARTER: Diana Carter with Brydon, Swearngen  
13 and England. Counsel for the Empire District Electric  
14 Company.

15 JUDGE STEARLEY: Thank you Ms. Carter. And, the  
16 Office of the Public Counsel

17 MS. BAKER: Christina Baker. P.O. Box 2230,  
18 Jefferson City, Missouri, 65102 here on behalf of the  
19 Office of the Public Counsel and the rate payors.

20 JUDGE STEARLEY: Thank you, Ms. Baker. For the  
21 Staff of Missouri Public Service Commission

22 MS. KLIETHERMES: Thank you, Judge. Sarah  
23 Kliethermes, Staff Counsel's Office for the Staff and  
24 the Missouri Public Service Commission.

25 JUDGE STEARLEY: Thank you, Ms. Kliethermes. Do

1 we have any of the intervenors represented by counsel  
2 today. Okay. Well, seeing none, we will begin with the  
3 taking of testimony, and the first name I have on my  
4 list is Roy Cox.

5 ROY COX,  
6 of lawful age, having been produced and sworn, testified  
7 as follows:

8 JUDGE STEARLEY: Thank you. And if you'd please  
9 state and spell your name for our court reporter?

10 WITNESS: It's pretty simple, it's just six  
11 letters to my whole name. R-O-Y C-O-X. First of all, I  
12 do want to keep it as positive as possible. I do  
13 appreciate the hearing and I've had good service from  
14 Empire. I thought long and hard before I came down here  
15 about this testimony, but I want to give it. I've  
16 worked in my life with a lot of disadvantaged people.  
17 I'm not wealthy myself, however, I will acknowledge that  
18 I have a -- a number years ago I had \$4,000 invested  
19 with Empire. I invested that two and a half years ago.  
20 I've made \$2,000 on my 4,000 in two and a half years in  
21 return, so I just wanted acknowledge that it has been a  
22 very good stock. I also want fair play, but I find it  
23 interesting I can make a 50 percent return on it. Thank  
24 you.

25 JUDGE STEARLEY: Mr. Cox, before you sit down,

1 come back here for just a second. Let me ask, do any of  
2 the attorneys, present, have any questions for Mr. Cox?  
3 Commissioner Davis?

4 COMMISSIONER DAVIS: No

5 JUDGE STEARLEY: Next, I have Mr. Jim Higley.

6 JIM HIGLEY,  
7 of lawful age, having been produced and sworn, testified  
8 as follows:

9 JUDGE STEARLEY: Thank you. And, If you could  
10 please state and spell your name for our court reporter?

11 WITNESS: My name is Jim Higley H-I-G-L-E-Y, and  
12 my main concern about this rate increase is I can't even  
13 afford my medications for my medical condition that I  
14 have, and we've been having a tough time making bills  
15 now. I've got a pension and I'm on Social Security but  
16 neither one of those do I get any type of an increase  
17 on. My Social Security this year didn't get one, but  
18 you know, us that's on disabilities, we're on fixed  
19 incomes. We can't pay it. When I first bought my house  
20 thirty years ago, I started out paying \$75 a month, now  
21 we're over \$200 a month and that's on a monthly  
22 installment plan with Empire. I have to say Empire is  
23 an excellent company. They do a very good job. When I  
24 first started having electricity service with them it  
25 was poor, but they've really done a good job in recent

1 years, but on these rate increases -- they keep asking  
2 for increases -- your workingman, anymore, can't afford  
3 it -- just can't do it. I can't even afford my  
4 medications anymore, you know, so I've either got to die  
5 or whatever, but, it's really to the point where these  
6 increases are that drastic. You've got to live  
7 everyday, so I'm making my choice where I have to forgo  
8 a lot of my medical expenses so I can pay my everyday  
9 expenses that I got to live and it's really that  
10 drastic, cause I am a terminal person. That's all I've  
11 got to say

12 JUDGE STEARLEY: Are there any questions for Mr.  
13 Higley? I see none from counsel. Commissioner Davis?

14 COMMISSIONER DAVIS: No.

15 JUDGE STEARLEY: Thank you, sir. Thank you very  
16 much for your testimony. Next, I have Dixie Boyd-Carter

17 DIXIE BOYD-CARTER,  
18 of lawful age, having been produced and sworn testified  
19 as follows:

20 WITNESS: Dixie Boyd-Carter. D-I-X-I-E B-O-Y-D  
21 hyphen C-A-R-T-E-R. I have to say, also, that I've had  
22 good service from Empire. I don't have any stock in the  
23 company, but I am aware about, and I do make my living  
24 on what I have in Social Security and pension. We  
25 haven't had a raise in two years on our income and our

1 medical insurance and everything has gone up  
2 accordingly. I've used most of my savings, just about,  
3 to be able to keep ends meet. I come from the old  
4 school where you don't ask for charity, and I'm not  
5 asking for charity here, I just think it should be more  
6 fair. I don't think that our increases should keep  
7 going like they are. I know there are expenses to  
8 running a business, but it just seems like it's an  
9 unreal amount that we have a rate increase every year,  
10 you know, and if we get this \$13, and I'm not even  
11 getting a \$13 raise on my income, and haven't for two  
12 years, what are we supposed to do? That's the only  
13 thing I have to say. Like I said, Empire's been really  
14 good to me, and I'm not asking for anything for myself,  
15 I'm just asking for all of us.

16 JUDGE STEARLEY: Are there any questions for Ms.  
17 Boyd-Carter? I see none. Thank you very much for your  
18 testimony. Next, I have Marcy Hailey.

19 WITNESS: It's Nancy Hailey.

20 JUDGE STEARLEY: Nancy. I'm sorry. Please feel  
21 free to correct me if I butcher your names.

22 NANCY HAILEY,  
23 of lawful age, having been produced and sworn, testified  
24 as follows:

25 JUDGE STEARLEY: Thank you. If you'd state and

1 spell your name for our court reporter?

2 WITNESS: Nancy Hailey. N-A-N-C-Y H-A-I-L-E-Y

3 JUDGE STEARLEY: You may proceed.

4 WITNESS: This is basically directed specifically  
5 towards the Public Service Commission. The name of your  
6 entity implies that your purpose is to serve the public  
7 in the State of Missouri. In order to understand more  
8 about the PSC, I went to your website, and I would like  
9 to read you an excerpt from that. This is the document  
10 that shows what was printed out from the website.

11 Missouri Public Service Commission regulates  
12 investor-owned electric, steam, natural gas, water and  
13 sewer and telephone companies. It's mission is to  
14 ensure Missouri customers have safe -- have access to  
15 safe, reliable and reasonably priced utility service.  
16 It states in here the PSC is comprised of five  
17 commissioners who are appointed by the governor. At the  
18 bottom it shows what their mission statement is and what  
19 we will do. Number one says, they will ensure that  
20 Missourians have received safe and reliable utility  
21 services at just reasonable and affordable rates, and I  
22 want to repeat those last two words. Affordable rates.  
23 I attended your hearings in the past and listened to the  
24 public plead with you to not only -- to not allow these  
25 continuous and outrageous utility rate increase requests

1 by Empire. Empire District is out of control. They  
2 need to operate within reasonable budgetary constraints.  
3 It's up to you as the Public Service Commission to see  
4 that they do. There are other businesses that are  
5 having to do this in order to survive the economy.  
6 Empire should not be an exception. The job the governor  
7 appointed you to do is to serve and protect the public.  
8 With all due respect folks, you're not doing your job.  
9 I suggest you review what the PSC mission is, and is  
10 supposed to be, and reflect on it, before you just give  
11 Empire another blank check. That's it.

12 JUDGE STEARLEY: Are there any questions for Ms.  
13 Hailey? Thank you very much for your testimony. Jerry  
14 Creech.

15 JERRY CREECH,  
16 of lawful age, having been produced and sworn, testified  
17 as follows:

18 JUDGE STEARLEY: Could you please state and spell  
19 your name?

20 WITNESS: First name is Jerry J-E-R-R-Y. Last  
21 name is Creech C-R-E-E-C-H. With this lady that just  
22 spoke is a very eloquent evaluation, in my personal  
23 opinion, about the service commission. I think you guys  
24 have been sitting on your tuffs for a long time and not  
25 really looking at the good of the people of the State of

1 Missouri. Empire District has got everything they've  
2 asked for. If they need 13 percent they'll ask for 26  
3 and say hallelujah we cut in two instead of saying 26.  
4 Guys, look at the economy, look at how people are  
5 hurting. Businesspeople are tucking in their belts  
6 whatever they can stuff to survive, and Empire District  
7 says, well, we need to hit highs to get IATAN 2 out, so  
8 we're going to ask for thirteen percent increase.  
9 Gentlemen, take a hard look at this thing. It's just  
10 ludicrous that you just give them a free ticket. But I  
11 want to compliment on the other people that spoke before  
12 me, because they really summed it up. Thank you.

13 JUDGE STEARLEY: Are there any questions for Mr.  
14 Creech? Thank you very much for your testimony. John  
15 Rains.

16 JOHN RAINS,  
17 of lawful age, having been produced and sworn, testified  
18 as follows:

19 JUDGE STEARLEY: If you would, please state and  
20 spell your name?

21 WITNESS: John J-O-H-N Rains R-A-I-N-S.

22 JUDGE STEARLEY: And you may proceed

23 WITNESS: I feel bad because these other people  
24 have had such good service with Empire, but that's the  
25 reason I would like to see that they don't get a rate

1 increase, because I don't think they're giving good  
2 service. I don't think they're managing their company  
3 as well as it should be and I'd like to give a couple of  
4 examples if you'd want to hear them.

5 JUDGE STEARLEY: Yes, we would.

6 WITNESS: I don't know, maybe they were all on  
7 vacation a year or so ago when we had the ice storm. I  
8 was out electricity for eight days and as I would come  
9 into town, I was staying at my sons, each day and see if  
10 my area of town had electricity, and sure enough it  
11 wouldn't. I would look up and try to find where they  
12 were working, in my area, and the crew that was working  
13 in my area was a crew from Louisiana, and they'd come  
14 in, and several -- from other electric companies come in  
15 to help during the ice storm to repair the lines to get  
16 the city back up, and they just happened to be from  
17 Louisiana, and every day that I'd go down and talk to  
18 them and say how far along are you, when are you going  
19 to get to my house and all this. I kind of got  
20 acquainted with them and this one young man was telling  
21 me that he volunteers for these assignments. He's not  
22 married, he's young, he's healthy, likes to go out and  
23 likes to make the extra money, all that. He told me of  
24 all the ones that he'd been out on, that Empire was the  
25 poorest maintained system that he'd ever been on. The

1 lines, the preventive maintenance, the limbs, the trees,  
2 the brush and the lines was the absolute poorest that  
3 he'd ever seen. The other story is a little bit longer,  
4 if I have permission to tell it.

5 JUDGE STEARLEY: By all means.

6 WITNESS: Where I live, there's a telephone pole  
7 in the back of my property it's not on my property, but  
8 it's a telephone pole that services my home and it  
9 services my home and a home directly north of me and the  
10 home directly west of me, and it's Bell telephone phone  
11 pole. It had the little letters on it and it had Bell  
12 number and it had rotted off to the ground and we kept  
13 trying to get it replaced. It wasn't bothering me too  
14 much, because the pole was listing with my property.  
15 Mr. Cook's lines was what was holding it up. His lines  
16 put the tension on the pole to keep it from falling, and  
17 my shed caught my lines and it kept them off my patio  
18 pretty well out of the reach, you know, but they were  
19 listing pretty good. Finally, they decided to come out  
20 and replace the pole, and when they did, Empire replaced  
21 the pole, so being retired, really having nothing else  
22 to do, I set out on my patio in my rocking chair and my  
23 Diet Pepsi, and I had a show for a couple days, you  
24 know, what else have I got to do but watch. So they  
25 came in, and then the first thing that I noticed was

1 they brought the pole in and somebody said, they sent us  
2 a 40 foot pole and the one that's standing is a 35 foot  
3 pole. They said, what are we going to do, and somebody  
4 said, well, we're going to put it up, that's what that  
5 sent us, that's what we're going to put up. So, they  
6 brought the drill and dug the hole and put the post up  
7 -- put the post up, and what they'd done was stripped  
8 tied the old pole to the new pole and sure enough it was  
9 five foot higher and when they were getting the new pole  
10 ready, they measured down so far from the top and when  
11 they put them side-by-side it was sure five foot taller.  
12 So they -- when they strapped the poles together that  
13 really made a difference -- got some slack out of my  
14 line, gave Mr. Cook some slack in his line but, you  
15 know, they couldn't leave it like that, so they started  
16 moving the lines and they moved the lower lines and got  
17 them up in place and, so then they started bringing in  
18 the lines from the houses and they brought Mr. Cook's  
19 lines in first and of course the cross line's about five  
20 foot higher -- puts a lot more tension on the wires, but  
21 they stretched them and they got the wires. Then they  
22 went to the neighbors' north of me, and they were  
23 putting up them lines, and we heard this crack over  
24 there and they all turned to look and what'd they'd done  
25 was pull the lines so tight that they broke so they all

1 look for a minute, and then they all just turned back to  
2 their work, just like we didn't see anything, we didn't  
3 hear anything, we don't know anything, you know, that's  
4 just a sound. So, anyway, I got my line and here I am  
5 sitting on the patio so they decided to splice my line  
6 so it wouldn't put pressure to get it up there to tie  
7 on. So, it became lunchtime, and they all went to lunch  
8 and so I've got my sandwich out on the patio, I didn't  
9 want to miss a thing. I kept noticing that out here on  
10 the street, 30th Street, all these Empire trucks and  
11 Empire cars and so, I kind of got interested in that,  
12 and this was the day that Empire was starting a new  
13 program to number all the poles in their system, and I  
14 don't know how they took care of them before -- they  
15 were going to assign each pole a number and that way if  
16 you had a problem with a pole, I guess you could look on  
17 the front of a pole and stuff, and they had TV people  
18 out there and so they had the TV set up. They gave this  
19 little spiel that showed how they were going number  
20 these poles, and luckily the crew that was working on  
21 the pole, there was six -- there were three trucks and  
22 six employees they stopped to watch the proceedings like  
23 I was, and so after it was all over with, everybody but  
24 the -- left there except for one truck and one driver  
25 and he walks -- and these guys come back around and

1 start working a little and he walks across my yard up to  
2 the chain-link fence where they were working on the  
3 other side and he kind of, maybe he was a foreman --  
4 they got the -- they hooked all three of the houses up  
5 and had the little poles lined up so they were ready to  
6 see what happens. So, they pulled one high-voltage line  
7 up, got it up on the connector and got it wired off and  
8 they was raising the second one up and the lines snap.  
9 It really puts off a good -- sounded like a big shotgun,  
10 a big cannon, or something goes off and then this big  
11 ball of fire goes up in the air and then Cook had this  
12 -- has this young maple tree in his yard and it broke  
13 right over that tree and it just look like the whole  
14 tree was a volcano, was shooting fire -- a big ball of  
15 fire, and this foreman guy, he says GDSOB -- takes off  
16 running and runs to his truck, grabs the pole and runs  
17 to the pole further south and drops the breaker on the  
18 transformer, and all the guys in his crew are just  
19 frozen in space. As soon as he pulls that breaker they  
20 all cried out a sigh of relief and the guy at the top of  
21 the pole says, damn, I hate when that happens. But the  
22 thing of it was, the pole that they were showing where  
23 the sign fell when that wire broke, it fell and curled  
24 up about five feet from where that girl reporter was  
25 standing. If they would have came back after lunch and

1 went to work without stopping and seen the assignment,  
2 that line would have wrapped around her neck just as  
3 sure as can be. But they -- they spliced the line, got  
4 it back up and everything. Well, my neighbors to the  
5 north of me sold their house. They noticed that the  
6 weather had corroded so they had to repair before they  
7 could sell, and so Cook's lines -- his was stretched so  
8 tight, one of his 110 wires broke and the only answer to  
9 have almost everything in his house in a 229. On the  
10 110 side he told me -- this is what he told me, was his  
11 TV, the refrigerator, his deep freeze, his coffeepot and  
12 were all burnt up because they went -- the juice in that  
13 one line coming in before they realized what it was and  
14 so he had to replace the lines coming through his house.  
15 Nothing happened to mine, I think because I'm standing  
16 there watching them. I didn't have any repercussions  
17 from it at all. But if it was physicians that say do no  
18 harm these guys would be the direct opposite because  
19 everything they touched they harmed. I just want to say  
20 -- going back to that first story that, you know, when a  
21 lot of people lost electricity for that ice storm, I  
22 told everybody that I could see, or that would listen to  
23 me at that -- from that point to the previous 18 months,  
24 I've been without electricity more than I had the 40  
25 previous years that I lived in that home, so I don't

1 think Empire's doing a good job. I don't think they're  
2 using their resources during that whole deal it was  
3 never more than two workers working, and that always  
4 left four standing around, and they all had brand new  
5 trucks and brand new equipment and it would just -- it  
6 was plain to see that they have a ranking system. This  
7 one boy was responsible for putting all the hardware on  
8 the poles and he had missed a washer and with four or  
9 five of them standing around, but none of them could  
10 reach into the bin and grab a washer. He had to run  
11 back to the truck and bring it back. I think they're  
12 really not making good use of the money that they are  
13 getting and they're wanting more and I think that their  
14 management has to be much better before I would even  
15 think they should deserve anything.

16 JUDGE STEARLEY: All right. Are there any  
17 questions for Mr. Rains?

18 MS. BAKER: About what year were both of these  
19 issues that happened?

20 WITNESS: The last one was the storm we had last  
21 year and the January one of 2009, 10. The pole -- I  
22 don't remember, but you could find out when they had  
23 that little TV people down there. Should be able to  
24 find the records.

25 MS. BAKER: Are you still having outages?

1 WITNESS: No. Haven't had one since. Haven't  
2 had very many in the first 40 years.

3 MS. BAKER: Thank you.

4 JUDGE STEARLEY: Are there any other questions  
5 for Mr. Rains? Thank you. Next on my list I have  
6 Frank. And Frank, I apologize I may have trouble  
7 reading your last name. It looks like Pitrocin.

8 COMMISSIONER DAVIS: You might want to identify a  
9 street maybe.

10 JUDGE STEARLEY: On 27115 Highway J.

11 (Audience member) That's my address.

12 JUDGE STEARLEY: Is it Fran?

13 (Audience member) Loretta.

14 JUDGE STEARLEY: Okay.

15 COMMISSIONER DAVIS: Okay, you're -- 2125 Xenia?

16 JUDGE STEARLEY: I'm sorry. I skipped. I read  
17 the wrong address. Loretta, you're next. Don't go  
18 away, cause it looks like Frank has left. Why don't you  
19 come up here. This is Loretta --

20 WITNESS: Graskemper.

21 LORETTA GRASKEMPER,  
22 of lawful age, having been produced and sworn, testified  
23 as follows:

24 JUDGE STEARLEY: Thank you. If you'd please  
25 state and spell your name?

1 WITNESS: Loretta Graskemper. L-O-R-E-T-T-A  
2 G-R-A-S-K-E-M-P-E-R

3 JUDGE STEARLEY: And you may proceed.

4 WITNESS: I just wanted to say that we just got a  
5 rate increase, and we haven't gotten over the shock of  
6 it yet, and now they're asking for another one, and  
7 people are on fixed incomes. I don't know how they're  
8 supposed to find this money, and I am definitely against  
9 this increase. Thank you.

10 JUDGE STEARLEY: Any questions? Thank you very  
11 much for your testimony. I have George Kelley.

12 GEORGE KELLEY,  
13 of lawful age, having been produced and sworn, testified  
14 as follows:

15 JUDGE STEARLEY: If you'd also please state and  
16 spell your name?

17 WITNESS: George, common spelling. K-E-L-L-E-Y.

18 JUDGE STEARLEY: You may proceed.

19 WITNESS: My wife and I recently moved to  
20 Missouri just six years ago. I retired from law  
21 enforcement from Cherokee County. She's went back to  
22 school in her mid-forties to get an education to improve  
23 our lives and stuff, so we had an 80-acre farm and at  
24 one point in time we owned everything. We owned our  
25 cattle, we owned everything, everything -- everything

1 there we owned -- everything was paid for. Due to  
2 health reasons and stuff -- the wife works at Freeman  
3 Hospital -- we decided to sell it; I could no longer  
4 maintain it like I wanted to, so we sold it and moved  
5 over here. In the process we went into debt to get the  
6 home over here that we wanted and she wanted, you know,  
7 after being together for 37 years. My income was a  
8 moderate income for retirement and plus disability. She  
9 works for Freeman. Since she's -- the last two or  
10 three years they've been cutting -- Freeman's been  
11 cutting different systems. They've had to cut  
12 employees, benefits. So, this last increase that  
13 they're proposing would raise us, I believe it was 13  
14 something, every thousand kilowatts, and we have a full  
15 total electric home. We're just getting to the stage  
16 where we have grandchildren over, an outdoor pool. We  
17 like to enjoy them, be able to run the pool, keep it  
18 clean, you know, have the kids over. It's to the point  
19 where we -- in order to pay for this stuff it's getting  
20 to where we can't do it. She's lost probably \$400 a  
21 month and they cut her back to 36 hours -- they can't  
22 really make up their hours. They've cut benefits,  
23 they've cut -- insurance, of course, that went up; that  
24 went sky high, that doubled. My benefits have not been  
25 of help at all. So, we finally -- we've only bought one

1 new vehicle in our life, and that was one -- we just got  
2 it paid for and we thought well, we'll take this money  
3 now, and then have a pickup and it's paid for. Finally,  
4 got them both paid for, so now, we can take this money  
5 and double up and try to get this house paid off and  
6 stuff like that, or go on a vacation or do this and  
7 that. Well, the loss of her \$400 and my no gain in a  
8 month, it's hurting us. We are doing -- we should be  
9 able to eat the better quality of meats, the finer  
10 foods, but we don't, we can't, because of the costs  
11 involved. I've had two small businesses in the past  
12 20 years. Never did I pass on to my people -- one was a  
13 shop and one was a car wash, and I ran them both at the  
14 same time. I didn't go -- if I wanted a piece of  
15 equipment or something, I saved my money. I didn't pass  
16 it on to the person I was fixing their tires -- a \$5  
17 tire, I didn't say it was \$7, because I already bought a  
18 brand-new tire machine. No, I didn't do that. I worked  
19 and I tried to get more people to come in. I saved that  
20 money, and when I got the money to pay for it, it was  
21 mine, it's done. I feel that this -- just wanting this  
22 and wanting that and passing this off to the people is  
23 ridiculous. To me, it's not a business it's -- but, by  
24 the same token when you have the monopoly, if I'd been  
25 the only carwash and the only service station where you

1 do service work within a hundred miles, of course, jack  
2 the prices up and you're going to get it. But, when  
3 you're not the only one around, you know, you can't do  
4 that. And I wasn't the only one around, so I used my  
5 business sense, and that was just to save my money, and  
6 then pay for it as I got it and stuff, but, all in all  
7 this increase will increase us about \$60 a month with  
8 another 60 bucks a month that, you know, is going to  
9 take us longer to pay our house off and to get to where  
10 we -- you get to the point where you get this all taken  
11 care of. I don't want to die owing money. I'd like to  
12 die saying that I paid for everything that I got, you  
13 know, just through work, but, that's what I've got to  
14 say. I totally disagree with this increase, I was  
15 totally against the last one, but I've had, I don't  
16 know, how many people I've told that I was coming to  
17 this meeting say something like, what good is it going  
18 to do. I've heard that from numerous people. They just  
19 don't feel it's not going to do no good, they're going  
20 to do what they want. And basically, like the gentleman  
21 said, it's like a car dealer; it costs \$2,500 to buy a  
22 car, they say 5,000. He let's him say well -- let's the  
23 people haggle around and says, I'll give you 2500 --  
24 well, okay. I basically feel that's what's happening  
25 here. I'm sorry, but that's what I feel, and I know a

1 lot of people feel same way, so, thank you.

2 JUDGE STEARLEY: Any questions for Mr. Kelley?  
3 Thank you very much. I have reached the end of my sign  
4 up sheet, so I'm going to ask if there's anyone else  
5 here who would like to offer testimony to the  
6 commission? Please come on down. Please state and  
7 spell your name?

8 WITNESS: My name is Donna Chandler. D-O-N-N-A-  
9 C-H-A-N-D-L-E-R.

10 DONNA CHANDLER,  
11 of lawful age, having been produced and sworn testified  
12 as follows:

13 JUDGE STEARLEY: You may proceed.

14 WITNESS: We have lived in Joplin for almost  
15 40 years. We took a timeout three years ago, because of  
16 my husband's health, we moved to a retirement community.  
17 His health declined and we moved back in June of last  
18 year. I am a retired financial secretary/bookkeeper, so  
19 I make graphs and charts to verify what I think, and  
20 using, four years ago, my electric bills, compared to  
21 what I have paid almost for another year here, they are  
22 substantially higher for -- well, I'm living in the same  
23 house so it's substantially higher. But, what I really  
24 want to say, that's all besides the point, is the fact  
25 that we are all hurting very badly. Our finances -- our

1 country -- just regular people. I'd like to say, that  
2 since my husband passed away in December, I lost a  
3 thousand dollars a month on high living expenses. I  
4 have Social Security. We have retirement pension coming  
5 in, and we have some savings which comes in, but we were  
6 living on \$3,000 a month, now it will be two and I  
7 didn't add up all my expenses because I didn't know I  
8 was coming here, I was going to keep my mouth shut, but  
9 after everything is paid, and where it is now, I will  
10 have approximately have \$200 to buy food and put gas in  
11 the car on a monthly basis. That is a lot of money to a  
12 lot of people, I understand that. To a lot of people it  
13 is a little bit of nothing. But, to us that are on a  
14 fixed income and nothing's going to change. Social  
15 Security has not upped our living expenses and because  
16 it has not seen fit to do so, because of the economy,  
17 and I understand that, but it is very difficult to  
18 constantly see things go up when you're living on less  
19 and less all the time. When you're receiving less and  
20 everything else is going up, and I'm not starving to  
21 death, I do have a car that's paid for, I have a home, I  
22 am renting my home from grandchildren, they bought it  
23 four years ago. But, all that is to say, more on behalf  
24 of those that have testified, that I can tell, are  
25 probably in a more -- have less coming in than I've got.

1 I'm going to make it. I spoke to my daughter yesterday,  
2 and she said -- and they're both working, and she said,  
3 oh mom, last winter we'd just -- since we're gone all  
4 day, we just turned the thermostats down to nothing and  
5 I quit using electricity. These are people in their  
6 fifties. Well, if people in their fifties -- they're  
7 both working and making decent salaries, are having the  
8 same conditions. We are America and we should care  
9 about the people in our country, and be more concerned  
10 about what they're going through right now, than a lot  
11 of things on bringing up standards, I understand, but  
12 people -- like the one gentleman said, medications --  
13 before my husband died, when our insurance was in the  
14 donut hole, we were paying \$500 a month on medications  
15 for medications for him. Well, that's gone since he's  
16 gone, but that really doesn't equate the loss of the  
17 salary either. I just think it's time that we get  
18 together with each other and corporate and regular  
19 people and say we've got to work together, we've got to  
20 get this thing under control. I guess that's all I have  
21 to say.

22 JUDGE STEARLEY: Any questions for Ms. Chandler?  
23 Thank you very much for your testimony. I believe there  
24 was another hand up here.

25 WITNESS: Crystal Stokes. C-R-Y-S-T-A-L

1 S-T-O-K-E-S.

2 CRYSTAL STOKES,  
3 of lawful age, having been produced and sworn testified  
4 as follows:

5 JUDGE STEARLEY: You may proceed.

6 WITNESS: Well, I did not intend to testify  
7 today. I am a public employee. I am a teacher here in  
8 Joplin. I'm trying to formulate, cause I'm not looking  
9 at a piece of paper, but I can't stand here and just  
10 say, oh I'm going to sit in the crowd and say nothing,  
11 because this really does bother me. I did not come here  
12 for the first rate increase because I thought, well, I  
13 can't doing anything about it because it was not  
14 happening in Joplin, it was happening somewhere else.  
15 But, however, here, we cannot -- I work with students  
16 all the time. Their parents can't put food -- Joplin  
17 has so many different things, we actually have new  
18 programs because parents cannot -- it's either keep a  
19 house or have food. It shouldn't be that way. There  
20 has got to be away that we can look at this as a  
21 business venture, and maybe people do have to have a  
22 decrease in their pay, or what have you. I personally  
23 haven't had a raise and I haven't in the last two years  
24 because I'm a public employee and to me, even though  
25 this is a monopoly they need to have boundaries that --

1 and maybe they are, I apologize, I haven't researched  
2 it, but we need to look at -- if our public employees  
3 and our students here in Joplin cannot eat because their  
4 electricity keeps going up, it's insane. I also am -- I  
5 conserve energy and I've lived in Joplin for twelve  
6 years now, and I'm astonished in the last four years,  
7 how my electricity -- and I -- seriously, I conserve,  
8 it's \$50 a month and I -- just have to go pay mine today  
9 and it's 72, now it's going to end up to 90 some odd  
10 dollars. My water, I look at my gas it's insane how  
11 much it -- I'm not trying to complain, in the sense that  
12 I'm better than anyone else, but I do conserve and my  
13 electricity bill should never be more than \$50, now it's  
14 already at 70, and if it does increase we're going to  
15 look at hundreds of dollars, but really, where is it  
16 going. So, I think that it. I apologize if I rambled.

17 JUDGE STEARLEY: Thank you Ms. Stokes. We  
18 appreciate your comments. Any questions for Ms. Stokes?  
19 I want to thank you for your testimony. Is there anyone  
20 else who would like to offer some testimony today.  
21 Seeing none, I guess we will bring the on the record  
22 portion of our hearing to a close. Mr. Davis, do you  
23 have any closing remarks you'd like to make?

24 COMMISSIONER DAVIS: I just want to say thank you  
25 again to everyone for coming, and these are difficult

1 times, and we are mindful of that. We are also mindful  
2 that we do have a statutory obligation to follow the law  
3 and to provide utilities with an opportunity to earn a  
4 fair return on investment to allow them to recover their  
5 costs, and it is what it is, and those are the laws of  
6 this state, and I would also encourage people that you  
7 know -- if you -- some people always want to talk about  
8 how competition might be better. I would encourage you  
9 to visit with people in Texas and Illinois and other  
10 states that have retail competition and ask them about  
11 their experiences, because I think they would be able to  
12 provide some insight on how well, or how not well  
13 competition is working in those states. Thank you  
14 again, for your participation.

15 JUDGE STEARLEY: All right. Very well. Since we  
16 have no further comments the public hearing in  
17 ER-2011-0004 is hereby adjourned, and I thank you all  
18 very much for coming.

19 (The foregoing proceedings were concluded at  
20 1:13 p.m. on March 22, 2011.)

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