

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS
Pre-Filing Conference
January 10, 2012
Jefferson City, Missouri
Volume 1

In the Matter of Kansas City Power)
& Light Company's Request For) File No. ER-2012-0174
Authority To Implement A General)
Rate Increase For Electric Service)

In the Matter of KCP&L Greater)
Missouri Operations Company's) File No. ER-2012-0175
Request For)
Authority To Implement A General)
Rate Increase For Electric Service)

DANIEL JORDAN, Presiding,
SENIOR REGULATORY LAW JUDGE
KEVIN D. GUNN, Chairman
JEFF DAVIS,
TERRY M. JARRETT,
ROBERT S. KENNEY,
STEPHEN M. STOLL,
COMMISSIONERS

REPORTED BY:
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P R O C E E D I N G S

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2 JUDGE JORDAN: Good morning, everyone. The
3 Commission is calling two files. The first file number is
4 ER-2012-0174. And that file is called: In The Matter Of
5 Kansas City Power & Light Company's Request For Authority
6 To Implement A General Rate Increase For Electric Service.

7 The other file is number ER-2012-0175. And
8 that is: In The Matter of KCP&L Greater Missouri
9 Operations Company's Request For Authority To Implement A
10 General Rate Increase For Electric Service.

11 I'm Daniel Jordan; I'm a regulatory law
12 judge assigned to these files. We'll begin with entries of
13 appearance. Let's start with the parties that filed these
14 pre-filing --

15 MR. FISCHER: Let the record reflect the
16 appearance of James M. Fischer, Fischer & Dority, PC,
17 101 Madison Street, Suite 400, Jefferson City,
18 Missouri, 65101, appearing on behalf of Kansas City Power &
19 Light Company and KCP&L Greater Missouri Operations
20 Company.

21 JUDGE JORDAN: For Staff?

22 MR. THOMPSON: Thank you, Judge. Kevin
23 Thompson, Steve Dottheim, Nathan Williams, Sarah
24 Kliethermes for the Staff of the Missouri Public Service
25 Commission, Post Office Box 360, Jefferson City,

1 Missouri, 65102.

2 JUDGE JORDAN: Thank you. For the Office of
3 Public Counsel?

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

8 JUDGE JORDAN: Thank you. Any others who
9 wish to enter an appearance?

10 MR. WOODSMALL: David Woodsmall on behalf of
11 interested, but as yet unidentified potential industrial
12 parties.

13 JUDGE JORDAN: Thank you. And has someone
14 joined us on the telephone?

15 MR. STEINER: Your Honor, this is Roger
16 Steiner, representing KCP&L.

17 JUDGE JORDAN: Good morning, Mr. Steiner.
18 Did you get that?

19 MR. STEINER: Good morning.

20 JUDGE JORDAN: It's a little bit faint here.
21 I'm turning up the volume. All right.

22 And who else is with us on the phone today?

23 MS. FRAZIER: Your Honor, Jennifer Frazier,
24 with the Missouri Attorney General's Office, appearing for
25 the Department of Natural Resources, address is P.O.

1 Box 899, Jefferson City, Missouri.

2 JUDGE JORDAN: Thank you. Anyone else on
3 the line with us today?

4 MR. LUMLEY: Carl Lumley, appearing for
5 Dogwood Energy, address on file.

6 THE COURT REPORTER: What was his last name?

7 JUDGE JORDAN: Lumley. I'm trying -- I'm
8 trying to boost the volume for us here. There we go. And,
9 Mr. Lumley, will you spell your -- spell your name for the
10 reporter here?

11 MR. LUMLEY: Carl, C-a-r-l, Lumley,
12 L-u-m-l-e-y.

13 JUDGE JORDAN: Thank you. That was a little
14 faint. I think we've got it now though. Anyone else on
15 the line today? Okay.

16 Well, thanks to everyone for being here
17 today. There is, we're aware, no action pending in these
18 files currently. What we have are notices of pre-filing
19 the intent to file a rate case not less than 60 days after
20 the file of those notices.

21 And what we're doing when we receive such
22 filings, we've begun a practice of convening conferences
23 before the filings occur. And the purpose of the
24 conference like this is to discuss procedures that may be
25 implemented to accommodate the parties, particularly

1 utilities, who have suggested that 11 months is a
2 burdensome time frame, too long for them to get adequate
3 rate relief.

4 So one of the things that we have
5 experimented with is an accelerated time line for rate
6 cases and certain other procedural devices that will keep a
7 rate case on track and on a schedule. And we will probably
8 use some of these whether the parties request them or not.
9 But we also want to take into consideration the parties'
10 ideas on what works for them and what does not.

11 Some of these devices include periodic, what
12 we call, complaint reports -- that is, we have staff
13 assembling complaints against the filing utility and filing
14 a report with the Commission on what those are. Discovery,
15 we've used early service of data requests, we've used
16 periodic conferences, and we've also set deadlines for the
17 accomplishment of discovery. So those are some of the
18 things that might come to pass if, as and when, a rate
19 action is actually filed here.

20 I wanted to get the parties' thoughts on
21 this, and I'll begin with the utility that filed these --
22 utilities -- the entities that filed these notices and ask
23 whether KCPL&G will have any thoughts on the time line to
24 begin with.

25 MR. FISCHER: Well, Judge, if by time line,

1 you mean when are we filing, we've -- we have filed a
2 notice of intent to file, which would basically allow us to
3 file around the first of February. We don't know at this
4 point what date we will file. We're in the process of
5 preparing a case.

6 We don't anticipate asking for any kind of
7 accelerated procedure, so that may short circuit some of
8 the discussion today. There will be a need for a True-Up.
9 And I think under some of the discussions I've heard on the
10 accelerated process, that a True-up is more problematic.

11 So because we will need that, I think we
12 will probably anticipate a traditional approach.

13 JUDGE JORDAN: Okay.

14 MR. FISCHER: And as far as -- we can talk
15 with the parties about ways to -- to make the case go
16 smoother. We certainly would like to do that. And we can
17 talk today about drivers for the case, or anything like
18 that.

19 But as far as any unusual procedures, I
20 don't think we'll be requesting any at this point. But we
21 would be interested in -- in, you know, working with --
22 with parties to make it go as smoothly as possible.

23 JUDGE JORDAN: Okay. Thank you. I
24 appreciate that. And I emphasize that these -- these
25 procedures are for -- partly at least, for the

1 accommodation of the parties.

2 Anything from Staff? Any reflection on
3 these -- on these procedures that we've been experimenting
4 with?

5 MR. THOMPSON: Not really, Judge. We find
6 the early DRs and the regular discovery conferences to be
7 very helpful.

8 JUDGE JORDAN: Good. Anything from the
9 Office of Public Counsel on these matters?

10 MR. MILLS: No, your Honor.

11 JUDGE JORDAN: Okay. Anything from anyone
12 else? Any other comments? Okay. Anything from our --
13 from our parties participating by telephone?

14 MS. FRAZIER: No, your Honor. Thank you.

15 JUDGE JORDAN: Okay. I'm not hearing
16 anything. Well, that's all I had. And I appreciate the
17 parties presence here, and I hope you can use this time to
18 discuss procedures for the eventual filing of a rate
19 action.

20 That's all I have. Anything else that I can
21 help the parties with before we go off the record?

22 MR. DOTTHEIM: Just a question, Judge. Are
23 the parties expected to make any sort of filing concerning
24 discussions that occur after this conference? I'm
25 certainly not encouraging that.

1 JUDGE JORDAN: Right. Right. Right. You
2 mean like the report that I often ask for after a
3 prehearing conference?

4 MR. DOTTHEIM: Yes, sir.

5 JUDGE JORDAN: Yeah. I didn't have anything
6 in mind like that. I think that the utility who is
7 contemplating filing this action knows that it can request
8 or suggest procedures when it does its filing. So anything
9 else before we go off the record?

10 Not hearing anything, thank you very much.
11 This conference is adjourned, and we'll go off the record.

12 (Off the record.)

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CERTIFICATE OF REPORTER

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I, Janna Tayon, CCR No. 1260, within the State of Missouri, do hereby certify that the testimony appearing in the foregoing matter was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Janna Tayon, CCR