

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS
First Pre-Hearing Conference
April 3, 2012
Jefferson City, Missouri
Volume 2

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

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

DANIEL JORDAN, presiding
SENIOR REGULATORY LAW JUDGE.
KEVIN D. GUNN, Chairman,
TERRY M. JARRETT,
ROBERT S. KENNEY,
COMMISSIONERS.

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P R O C E E D I N G S

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2 JUDGE JORDAN: We're on the record now. The
3 Commission is calling the cases in the following file numbers:
4 File No. ER-2012-0174 and File No. ER-2012-0175.

5 Do we have someone just join us on the line?

6 CAPTAIN MILLER: Yes. This is Captain Sam
7 Miller with Federal Executive Agencies.

8 JUDGE JORDAN: Good morning. Glad to have you
9 with us.

10 Is there anyone else on the line?

11 MR. BRUDER: Yes, there is. Terry Bruder for
12 the Department of Energy -- the United States Department of
13 Energy.

14 JUDGE JORDAN: Thank you very much. This is
15 Daniel Jordan, the regulatory law judge assigned to this case.

16 MR. BRUDER: Okay.

17 JUDGE JORDAN: And the first thing I want to
18 tell everyone is that we've had a consolidation of actions.
19 This morning the Commission issued its order of consolidation
20 with File No. EU-2012-0130 and that is the application for an
21 accounting authority order for Kansas City Power and Light
22 Company.

23 I will give a brief description of the format of
24 this conference for anyone who's unfamiliar with it. That is as
25 follows: We'll take entries of appearance. We're on the record

1 now. We will deal with any preliminary matters that the parties
2 have for me, such as I can and then we will go off the record so
3 that the parties may discuss issues and use this space and time.

4 I have set aside this room all week. That's for
5 the flexibility of the parties. Don't feel like you need to use
6 this time. In an earlier order, I've asked Staff to let me know
7 when the parties feel they will be done with this so that we can
8 free up the room. This is all strictly for the convenience of
9 the parties.

10 And with that, I will begin taking entries of
11 appearance. And what I'll do is assume, unless I'm otherwise
12 informed, that associations or persons as identified in the
13 order granting applications for intervention are those listed in
14 the appendices to those orders.

15 If -- if an association has changed its
16 configuration as to its constituent entities, then let me know
17 otherwise and they'll be considered to be the same thing.

18 MR. WILLIAMS: Judge?

19 JUDGE JORDAN: Yes?

20 MR. WILLIAMS: Do you want parties to identify
21 which case they are parties to, making an appearance in, because
22 I know some parties are only in one of the two.

23 JUDGE JORDAN: That's correct. And the
24 associations, in fact, have different configurations per case.
25 But what I'll do when I call -- when I ask for an entry of

1 appearance for each party, we will assume that those are as they
2 are reflected in the respective file numbers.

3 MR. WILLIAMS: So you're going to go file number
4 by file number?

5 JUDGE JORDAN: No. I'm going to go party by
6 party. And so when I come -- when I -- when I ask for an
7 association, someone enters an appearance, in each case number
8 it will reflect the constituent parties in that file number.
9 Okay?

10 Anything else before we go any further?

11 All right. Then I will begin with the
12 applicants, Kansas City Power and Light Company and KCP&L
13 Greater Missouri Operations Company.

14 MR. STEINER: Your Honor, let the record reflect
15 the appearance for Kansas City Power and Light Company and KCP&L
16 Greater Missouri Operations Company, Roger W. Steiner and Jim
17 Fischer. Our addresses have previously been supplied to the
18 court reporter.

19 JUDGE JORDAN: Thank you.

20 And for Staff?

21 MR. WILLIAMS: Kevin Thompson, Nathan Williams
22 and Sarah Kliethermes in both cases.

23 JUDGE JORDAN: And for the Office of Public
24 Counsel?

25 MR. MILLS: On behalf of the Office of Public

1 Counsel and the public my name is Lewis Mills. My address is
2 Post Office Box 2230, Jefferson City, Missouri, 65102.

3 JUDGE JORDAN: Thank you. And now we'll start
4 with the intervenors. We will begin with AARP and the Consumer
5 Council of Missouri.

6 MR. COFFMAN: Appearing in both cases for both
7 organizations, AARP and the Consumers Council of Missouri, my
8 name's John B. Coffman.

9 JUDGE JORDAN: And your address is on file with
10 the reporter? You have given --

11 MR. COFFMAN: Yes, it is.

12 JUDGE JORDAN: -- the address to the reporter?
13 Good.

14 For Ag Processing Inc.

15 MR. CONRAD: Judge, for Ag Processing, Inc --
16 and that's -- would be in GMO proceeding, they are joined by
17 SIEUA in that proceeding and also for Praxair in the 0174
18 docket. And I believe -- I didn't know about the consolidation
19 until I was on the way down this morning, but I believe SIEUA is
20 in that proceeding also. It ends in 0130. And I have -- this
21 is Stu Conrad with Finnegan, Conrad and Peterson, Kansas City.
22 I have provided our address to the reporter.

23 JUDGE JORDAN: Thank you, counselor.

24 For the City of Kansas City, Missouri.

25 MR. COMLEY: Good morning, Judge. Let the

1 record reflect the entry of Mark W. Comley on behalf of the City
2 of Kansas City and that would be in both of the rate case
3 filings made by KCP&L and -- my business address is 601 Monroe,
4 Suite 301, Jefferson City, Missouri.

5 JUDGE JORDAN: Thank you.

6 For Dogwood Energy, LLC.

7 MR. LUMLEY: Good morning, Judge. Carl Lumley
8 appearing for Dogwood in both cases.

9 JUDGE JORDAN: Thank you.

10 For Midwest Energy Consumers Group.

11 MR. WOODSMALL: Thank you, Your Honor. David
12 Woodsmall appearing on behalf MECG in both cases. I have
13 previously provided my address to the Commission.

14 JUDGE JORDAN: Thank you.

15 For the Midwest Energy Users Association.

16 MR. FINNEGAN: Appearing in the 0174 case
17 Jeremiah D. Finnegan; Finnegan, Conrad and Peterson. The
18 address has been supplied.

19 JUDGE JORDAN: For the Missouri Department of
20 Natural Resources.

21 MS. BLOME: Jessica Blome, Your Honor, with the
22 Attorney General's Office. Address, P.O. Box 899, Jefferson
23 City, Missouri, 65102.

24 JUDGE JORDAN: For the Missouri Industrial
25 Energy Consumers.

1 MS. VUYLSTEKE: Diana Vuylsteke of the law firm
2 Bryan Cave, LLP, 211 North Broadway, Suite 3600, St. Louis,
3 Missouri, 63102.

4 JUDGE JORDAN: There was one motion for
5 application for intervention from Sierra Club Earth Island
6 Institute doing business as Renew Missouri and National
7 Resources Defense Counsel. Will counsel enter an appearance for
8 those entities?

9 I'm not hearing anyone.

10 And for the Union -- for Union Electric Company
11 doing business as Ameren Missouri, I have excused their
12 appearance.

13 Yes, counsel?

14 MS. TATRO: Wendy Tatro for Ameren Missouri.
15 We'd ask to be excused because we had a hearing next door, but
16 it's over, so I would enter my appearance. Wendy Tatro, 1901
17 Choteau Avenue, St. Louis, Missouri, 63103.

18 JUDGE JORDAN: Thank you.

19 Also we have some -- an application for
20 intervention pending from a cluster of federal agencies. Would
21 counsel like to enter an appearance for the federal agencies?
22 I'm not hearing any. I'm not hearing counsel.

23 CAPTAIN MILLER: Is that -- this is Captain Sam
24 Miller representing the federal executive agencies in both
25 cases. Our address has been previously provided.

1 JUDGE JORDAN: Thank you, counsel.

2 MR. BRUDER: Also Terry Bruder for the U.S.
3 Department of Energy and the National Nuclear Security
4 Administration, 1000 Independence Avenue Southwest, Washington
5 D.C., 20585. Telephone number 202.586.3409.

6 JUDGE JORDAN: Thank you, counsel.

7 Well, the only thing that I had to announce this
8 morning was the consolidation of this action of the accounting
9 authority order. What else would the parties like to bring to
10 me?

11 MR. COOPER: Your Honor, on behalf of Southern
12 Union Company doing business as Missouri Gas Energy, Dean L.
13 Cooper appearing in both cases. And the address has been
14 provided to the reporter.

15 JUDGE JORDAN: Thank you. I did grant that
16 application for intervention recently.

17 Anyone else?

18 Okay. And does anyone have an procedural
19 matters for me before we -- before we go off the record and
20 leave you to your work?

21 MR. CONRAD: Judge, you have clarified earlier
22 and you just might do so again about the additional days on this
23 prehearing.

24 JUDGE JORDAN: Sure. I scheduled several days
25 for this. And this is -- the scheduling and the availability of

1 this room is for the parties' convenience. I don't want to -- I
2 don't want anyone to think that they have to use the time -- all
3 the time that's reserved. This is just for the parties. And
4 I've asked Staff to let me know when -- what days are not
5 necessary and I will release the room.

6 Is there anything else before we go off the
7 record and adjourn this part --

8 MR. BRUDER: Terry Bruder. Can you hear me?

9 JUDGE JORDAN: Yes. Yes, counsel.

10 MR. BRUDER: As you know, the actions on our
11 motions to intervene had been held in abeyance pending a
12 participation pending a formal appearance by counsel who is
13 admitted in Missouri. As of yesterday DOE counsel, Ms. Lelanc
14 has filed that. She filed it on that regular form that is on
15 the Commission's website. That should be in the Commission's
16 possession. It should have been filed electronically, so I hope
17 that that's -- that resolves that and that our permissions can
18 be granted.

19 JUDGE JORDAN: I haven't seen that entry of
20 appearance, but that's -- that's the only thing that prevented
21 the Commission from ruling on the application. And even without
22 the granting of the application for intervention, federal
23 agencies are free to participate in this action.

24 MR. BRUDER: Thank you very much, Judge.

25 JUDGE JORDAN: Well, you're entirely welcome and

1 I'll look for that when I get back to my office. Thanks for
2 letting me know about that.

3 Is there anything else before we go off the
4 record and adjourn this part of the prehearing conference?

5 I'm not seeing anything. Then we can adjourn
6 this part of the prehearing conference and go off the record.
7 Thank you very much everyone.

8 (Off the record.)

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CERTIFICATE OF REPORTER

I, LISA M. BANKS, a Certified Court Reporter, within and for the State of Missouri, do hereby certify that the foregoing hearing was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Lisa M. Banks, CCR