

BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Prehearing Conference

September 22, 2011

Jefferson City, Missouri

Volume 1

In the Matter of
 The Determination of Carrying)
 Costs for the Phase-In Tariffs)
 Of KCP&L Greater Missouri) File ER-2012-0024
 Operations Company)

RONALD PRIDGEN, Presiding
 SENIOR REGULATORY LAW JUDGE

REPORTED BY:
 NANCY L. SILVA, RPR, CCR
 TIGER COURT REPORTING, LLC

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1 JUDGE PRIDGEN: On the record, please.

2 Good morning. We're on the record in the
3 prehearing conference in File No. ER-2012-0024 in the
4 matter of the determination of carrying costs for the
5 phase-in tariffs of KCP&L Greater Missouri Operations
6 Company.

7 I'm Ron Pridgen. I'm the regulatory law
8 judge assigned to preside over this prehearing
9 conference. It is being held on September 22, 2011,
10 at 10:00 o'clock in the morning.

11 We are in the Governor Office Building in
12 Jefferson City, Missouri. I would like to get
13 entries of appearance from counsel, please, and if I
14 could begin with KCP&L-GMO, please.

15 MR. FISCHER: Let the record reflect the
16 appearance of James M. Fischer on behalf of KCPL
17 Greater Missouri Operations Company, and my contact
18 information's on the written form.

19 JUDGE PRIDGEN: Mr. Fischer, thank you.
20 On behalf of the Staff of the Commission,
21 please.

22 MR. WILLIAMS: Nathan Williams, P.O. Box
23 360, Jefferson City, Missouri 65102.

24 JUDGE PRIDGEN: Mr. Williams, thank you.
25 On behalf of Ag Processing, Inc., please.

1 MR. CONRAD: Your Honor, on behalf of
2 Ag Processing, please note that we are specially
3 appearing this morning through Stuart W. Conrad and
4 Jeremiah Finnegan, both with the law firm Finnegan,
5 Conrad & Peterson, Kansas City, 3100 Broadway,
6 Suite 1209, Kansas City, Missouri 64111. I have,
7 your Honor, provided my -- and Mr. Finnegan also --
8 address and vital statistics to the reporter.

9 JUDGE PRIDGEN: Okay. Mr. Conrad, thank
10 you. Mr. Finnegan, thank you.

11 On behalf of the Office of the Public
12 Counsel, please.

13 MR. MILLS: On behalf of the Office of the
14 Public Counsel and the public, my name is Lewis
15 Mills. My address is P.O. Box 2230, Jefferson City,
16 Missouri 65102.

17 JUDGE PRIDGEN: Mr. Mills, thank you.

18 Is there anyone else wishing to enter an
19 appearance?

20 (No response.)

21 JUDGE PRIDGEN: All right. Hearing none,
22 and I think as Mr. Conrad and I discussed before
23 going on the record, there were several counsel who
24 had e-mailed, and I think one or two have called and
25 left messages who had no intention to appear at the

1 prehearing conference this morning.

2 Is there anything that counsel would need
3 to bring to my attention?

4 MR. WILLIAMS: Judge, I don't know if it
5 needs to be brought to your attention, but I believe
6 there have been a number of motions to withdraw from
7 the case. Staff has no opposition to any of those.

8 JUDGE PRIDGEN: And I don't know if a full
9 ten days has run and I don't know if the parties wish
10 to wait the full ten days before replying or parties
11 know --

12 MR. CONRAD: Yes. Your Honor, please,
13 subject to our special appearance, we have no
14 objection to either the request for excuse or to any
15 of the requests to withdraw that we have seen.

16 JUDGE PRIDGEN: All right. Mr. Conrad,
17 thank you.

18 Is there anything further from counsel
19 before I let the parties talk? Mr. Fisher.

20 MR. FISCHER: Judge, I would -- just
21 wonder if the Commission has -- what their calendar
22 looks like, whether there's any date that would be
23 preferable for the Commission if we were to have a
24 hearing or anything along that line that you can
25 direct us to?

1 JUDGE PRIDGEN: I glanced at the calendar
2 this morning, and I don't recall anything -- I don't
3 know how much time the parties need to get ready or
4 how many days the parties are going to anticipate a
5 hearing going.

6 You're welcome -- I'll be glad to let you
7 look at the calendar up on the ninth floor,
8 obviously. Like I said, I glanced at it earlier this
9 morning, and I've already forgotten what I saw.

10 MR. FISCHER: I think Mr. Williams and I
11 took a quick glance, and there seemed to be something
12 on October 11.

13 JUDGE PRIDGEN: I'm sorry. I don't
14 recall. I'll be here -- if you want, once we go off
15 the record, I'll be glad to go upstairs --

16 MR. FISCHER: I just -- doesn't -- it's
17 not that important.

18 MR. CONRAD: While we're on the record --

19 MR. WILLIAMS: You can see what I'm going
20 to show him here (indicated).

21 MR. CONRAD: I haven't looked at the
22 schedule that's been handed to me. We would need to
23 have, I would say, time, at least under the
24 Commission's usual discovery rules. I don't think we
25 have seen a specific discovery order that's been

1 issued here.

2 I'd want to have a little bit of time for
3 a couple rounds of DRs. I think that would push us
4 beyond an October time frame, but beyond that I'm not
5 anticipating, you know, huge difficulties, if there's
6 some time after that.

7 JUDGE PRIDGEN: Okay. Very good. And
8 also, I mean, I know I have another prehearing this
9 afternoon, and so whatever days those parties might
10 want might collide with whatever days you're
11 choosing, so my guess is, whoever grabs days first on
12 the calendar --

13 MR. WILLIAMS: It sounds like it's wide
14 open. What I believe Mr. Fisher was alluding to was
15 whenever I look at Outlook of the RLJ calendar, it
16 showed apparently somebody maybe tentatively
17 scheduled October the 11th for an evidentiary hearing
18 in this case.

19 JUDGE PRIDGEN: I don't recall that I
20 have --

21 MR. WILLIAMS: You're saying there's no
22 significance to that, I gather?

23 JUDGE PRIDGEN: No, I don't recall -- I
24 don't recall doing that.

25 MR. WILLIAMS: It may not have been you.

1 JUDGE PRIDGEN: I don't think it was.

2 MR. WILLIAMS: And I don't recall
3 seeing any order putting out a date.

4 MR. FISCHER: I'm sorry for creating
5 any confusion.

6 JUDGE PRIDGEN: No. No. No.

7 MR. WILLIAMS: We're just trying to
8 make sure there wasn't any significance from the
9 Commission's perspective on this date.

10 JUDGE PRIDGEN: Not that I'm aware of
11 at all.

12 MR. WILLIAMS: Thank you.

13 MR. CONRAD: I think I do have your
14 order here, Judge, that was asking a proposed
15 procedural schedule on or before September 29.

16 JUDGE PRIDGEN: Yes, sir.

17 MR. CONRAD: I think that would be
18 doable.

19 JUDGE PRIDGEN: Yeah, I just plan to
20 work from there and see what you file on or
21 before the 29th.

22 MR. CONRAD: That might be helpful to
23 him, some insight as to open stage for a
24 potential hearing.

25 JUDGE PRIDGEN: Certainly. If you'd

1 like, you're welcome to look, or I'm happy to go
2 up there and look and report back, and give you
3 open days, conflicts, whatever you'd like.

4 Anything else from counsel before we
5 go off the record?

6 JUDGE PRIDGEN: (No response.)

7 JUDGE PRIDGEN: All right.

8 Mr. Mills, if you'll just stay on the phone and
9 not disconnect, I'll move the phone here in just
10 a moment and let the parties talk.

11 MR. MILLS: All right. Thank you,
12 Judge.

13 JUDGE PRIDGEN: You're welcome.

14 If there's nothing further, we'll go
15 off the record in the prehearing conference in
16 File No. ER-2012-0024. Thank you.

17 We are off the record.

18 (The hearing concluded.)

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2 CERTIFICATE

3 I, Nancy L. Silva, RPR, a Certified
4 Court Reporter, CCR No. 890, the officer before
5 whom the foregoing hearing was taken, do hereby
6 certify that the witness whose testimony appears
7 in the foregoing hearing was duly sworn; that
8 the testimony of said witness was taken by me to
9 the best of my ability and thereafter reduced to
10 typewriting under my direction; that I am
11 neither counsel for, related to, nor employed by
12 any of the parties to the action in which this
13 hearing was taken, and further, that I am not a
14 relative or employee of any attorney or counsel
15 employed by the parties thereto, nor financially
16 or otherwise interested in the outcome of the
17 action.

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19 Nancy L. Silva, RPR, CCR
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