

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
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6 TRANSCRIPT OF PROCEEDINGS
7 Public Hearing
8 October 8, 2003
9 Jefferson City, Missouri
10 Volume 1
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12 In the Matter of a Proposed)
13 Rulemaking Concerning Cogeneration) Case No. EX-2003-0367
14 Tariff Filings)
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17 RONALD D. PRIDGIN, Presiding,
18 REGULATORY LAW JUDGE.
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20 ROBERT M. CLAYTON, III,
21 COMMISSIONER.
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23 REPORTED BY:
24 KELLENE K. FEDDERSEN, CSR, RPR, CCR
25 ASSOCIATED COURT REPORTERS

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

2 JUDGE PRIDGIN: Good morning. This is the
3 rulemaking hearing for Case No. EX-2003-0367, in the matter
4 of a proposed rulemaking concerning cogeneration tariff
5 filings.

6 I am Ron Pridgin. I'm the Regulatory Law
7 Judge that's been assigned to this case. This hearing is
8 being held on October 8th, 2003, Hotel Governor in Jefferson
9 City, Missouri, and the time is about 10 after 10 in the
10 morning.

11 At this time I would like to get entries of
12 appearance from counsel, beginning with Staff, please.

13 MR. FREY: Thank you, your Honor. Dennis L.
14 Frey representing the Staff of the Missouri Public Service
15 Commission, Post Office Box 360, Jefferson City, Missouri
16 65102.

17 JUDGE PRIDGIN: Mr. Frey, thank you. Anyone
18 here on behalf of the Office of the Public Counsel?

19 MS. O'NEILL: Yes. Good morning, your Honor.
20 Ruth O'Neill for the Office of the Public Counsel. Our
21 address is P.O. Box 7800, Jefferson City, Missouri 65102.

22 JUDGE PRIDGIN: Ms. O'Neill, thank you. Any
23 other parties wishing to be heard at this hearing? Hearing
24 none.

25 At this time let me briefly remind the parties

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1 that this is not a contested case. It is a rulemaking
2 hearing. Because it's not a contested case, I will not
3 allow cross-examination from the parties. The Commission,
4 however, may have some questions for the witnesses.

5 I will take testimony first from Staff and
6 from the Office of the Public Counsel, if they have any
7 witnesses they would like to produce. Then I will ask if
8 any other witnesses would like to testify on behalf of the
9 rule. I'll ask if anybody wants to testify in opposition to
10 the rule.

11 Any questions from counsel or anything counsel
12 would like to bring up before we proceed?

13 MR. FREY: No, your Honor.

14 MS. O'NEILL: No, your Honor.

15 JUDGE PRIDGIN: Hearing nothing. Mr. Frey, I
16 understand you're going to tender Warren Wood to testify?

17 MR. FREY: That's correct.

18 JUDGE PRIDGIN: Mr. Wood, if you would, please
19 take the stand to be sworn.

20 (Witness sworn.)

21 JUDGE PRIDGIN: Thank you, Mr. Wood. If you
22 would, please take a seat. Mr. Frey.

23 WARREN WOOD testified as follows:

24 DIRECT EXAMINATION BY MR. FREY:

25 Q. Could you please state your name for the

1 record.

2 A. Warren Thomas Wood.

3 Q. And by whom are you employed and in what
4 capacity?

5 A. Missouri Public Service Commission Staff as
6 the manager of the energy department.

7 Q. Mr. Wood, did you participate in the drafting
8 of the proposed amendment to the Commission Rule
9 4 CSR 240-3.155 entitled requirements for electric utility
10 cogeneration filing which is the subject of today's
11 proceeding?

12 A. Yes, I did.

13 Q. And would you please briefly describe the
14 proposed amendment?

15 A. The proposed amendment clarifies the timing of
16 cogeneration filings. That's really the extent of the
17 change, the amendment to the rule. There's been some
18 confusion, some questions regarding timing of cogeneration
19 tariff filings. These changes will remove that uncertainty
20 as to when those filings are required.

21 MR. FREY: Thank you.

22 And with that, your Honor, I would turn the
23 witness over to the Bench for questions.

24 JUDGE PRIDGIN: All right. Mr. Frey, thank
25 you.

1 Mr. Wood, do you have any additional comment
2 or narrative you'd like to give before questions?
3 THE WITNESS: No, I don't.
4 JUDGE PRIDGIN: Okay. Thank you.
5 Commissioner Clayton, any questions for the witness?
6 COMMISSIONER CLAYTON: No questions.
7 JUDGE PRIDGIN: Thank you. And I don't
8 believe I have any questions. Mr. Wood, you may step down.
9 Thank you very much.
10 Mr. Frey, will the Staff have any other
11 witnesses?
12 MR. FREY: No, your Honor.
13 JUDGE PRIDGIN: Thank you very much.
14 Ms. O'Neill, any witnesses on behalf of the
15 Office of the Public Counsel?
16 MS. O'NEILL: No, your Honor.
17 JUDGE PRIDGIN: Thank you very much.
18 Let me see if we have anybody else who would
19 like to testify on behalf of the rule? Hearing nothing.
20 Anybody who would like to testify in
21 opposition to the rule? Hearing nothing.
22 Mr. Frey, anything else you would like to
23 bring to the Commission's attention before we adjourn?
24 MR. FREY: Nothing further, your Honor.
25 JUDGE PRIDGIN: Thank you. Ms. O'Neill?

1 MS. O'NEILL: No, your Honor.

2 JUDGE PRIDGIN: Thank very much. We have
3 heard all the comments on behalf of the proposed rule. I
4 will now adjourn the hearing. We are off the record. Thank
5 you.

6 WHEREUPON, the public hearing was concluded.

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