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1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
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6 TRANSCRIPT OF PROCEEDINGS
7 Prehearing Conference
8 March 9, 2006
9 Jefferson City, Missouri
Volume 1

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12 In the Matter of the Application)
of Trigen-Kansas City Energy)
13 Corporation for a Certificate of)
Public Convenience and Necessity)
14 Authorizing It to Construct,) Case No. HA-2006-0294
Install, Own, Operate, Control,)
15 Manage and Maintain a Steam Heat)
Distribution System to Provide)
16 Steam Heat Service in Kansas City,)
Missouri, as an Expansion of Its)
17 Existing Certified Area)

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19 STEVEN C. REED, Presiding,
REGULATORY LAW JUDGE.

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23 REPORTED BY:

24 KELLENE K. FEDDERSEN, CSR, RPR, CCR
MIDWEST LITIGATION SERVICES

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23 FOR: Staff of the Missouri Public
Service Commission.

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

2 JUDGE REED: This is -- bear with me while
3 I read the caption -- in the matter of the application of
4 Trigen-Kansas City Energy Corporation for a certificate of
5 public convenience and necessity authorizing it to
6 construct, install, own, operate, control, manage and
7 maintain a steam heat distribution system to provide steam
8 heat service in Kansas City, Missouri as an expansion of
9 its existing certified area, Case No. HA-2006-0294.

10 I'm Steve Reed, the Regulatory Law Judge
11 assigned to this case. We're here for a prehearing
12 conference in order to put together a procedural schedule.
13 Entries of appearance by the parties, let's begin with the
14 Applicant, Trigen.

15 MR. KEEVIL: Judge, appearing on behalf of
16 Trigen-Kansas City Energy Corporation, Jeffrey A. Keevil
17 of the law firm Stewart & Keevil, LLC. Address is
18 4603 John Garry Drive, Suite 11, Columbia, Missouri 65203.
19 And if you would also show the entry of appearance of
20 Charles Brent Stewart of the same address.

21 JUDGE REED: All right. Thank you. And
22 Staff of the Commission?

23 MR. FRANSON: Robert Franson, representing
24 the Staff of the Public Service Commission, P.O. Box 360,
25 Jefferson City, Missouri 65102.

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1 JUDGE REED: It's my understanding that no
2 one is here from Office of Public Counsel; is that
3 correct? It's a few minutes after ten. I just wanted to
4 note that.

5 How about Kansas City Power & Light, an
6 intervenor in this case?

7 MR. DORITY: Good morning, Judge. Larry W.
8 Dority and James M. Fischer, Fischer & Dority, P.C.,
9 101 Madison, Suite 400, Jefferson City, Missouri 65101,
10 appearing on behalf of Intervenor, Kansas City Power &
11 Light Company.

12 JUDGE REED: Thank you. And Missouri Gas
13 Energy?

14 MS. CARTER: Diana Christine Carter with
15 Brydon, Swearngen & England, P.C., 312 East Capitol
16 Avenue, P.O. Box 456, Jefferson City, Missouri 65102, on
17 behalf of Intervenor Missouri Gas Energy.

18 JUDGE REED: Thank you. How about Truman
19 Medical Center?

20 MR. PORTER: Good morning, your Honor.
21 G. David Porter, Assistant General Counsel, Truman Medical
22 Center, Incorporated, 2301 Holmes, Kansas City, Missouri
23 64108 representing intervenor Truman Medical Center.

24 JUDGE REED: Thank you, Mr. Porter. Anyone
25 else?

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1 (No response.)

2 JUDGE REED: I think that's it. Something
3 that I noticed this morning was that earlier I had -- I
4 think right after this case began I had issued an Order
5 directing that Staff of the Commission to file a
6 responsive pleading by April 11th. In light of the
7 posture of the case right now, what I would suggest that I
8 do is set that aside, at least that portion of the Order
9 directing that Staff file that response by April 11th, and
10 ask that you-all come up with an agreed procedural
11 schedule, if possible, and address the issue of position
12 statements of the parties and a time within which that
13 should be filed. Does that make sense? Is that
14 agreeable?

15 MR. KEEVIL: When you say position
16 statements, Judge, I assume you're talking about the
17 testimony, issue list, that sort of thing?

18 JUDGE REED: Yes, sir. After --

19 MR. KEEVIL: Standard procedure?

20 JUDGE REED: Right. Yeah. That was the
21 only thing that I had noticed that might be left to be
22 attended to this morning. Is there anything else?

23 MR. FRANSON: Judge, just so I'm clear,
24 everyone in the room is being granted intervention; is
25 that correct?

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1 JUDGE REED: That's correct.

2 MR. FRANSON: And there are no other
3 pending applications for intervention or motions?

4 JUDGE REED: None that I saw this morning
5 in checking.

6 MR. FRANSON: Judge, one of the questions
7 that quite often comes up in this situation is, when we
8 start talking about a procedural schedule, we'll need
9 access to the RLJ calendar. Where is that now? Is that
10 down by Mr. Henderson's office or is that somewhere else?
11 A big board with all --

12 JUDGE REED: It's up on nine. It's near
13 Cully's office. I brought with me a printout, which
14 should help, but what I would suggest that you do is, once
15 you find a date for hearing, that you double check
16 upstairs to make sure that I haven't made a mistake.
17 Maybe, Mr. Franson, you can do that.

18 What I had done on this is I printed this,
19 and then I double checked the big calendar on nine and put
20 Xs on other dates that appear to be excluded because of
21 other things that have come up. So this should be pretty
22 reliable, but you may double check upstairs or check with
23 me once you get a hearing date.

24 Okay. I printed this through July, I
25 think. I don't know how much time you need, but you guys

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1 can -- you folks can agree on that.

2 MR. KEEVIL: Hopefully we'll be done far
3 before that.

4 JUDGE REED: All right. Anything else?
5 All right. Thank you all. That's it.

6 WHEREUPON, the recorded portion of the
7 prehearing conference was concluded.

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