

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Prehearing Conference

March 6, 2008  
Jefferson City, Missouri  
Volume 1

In the Matter of the Application )  
of Laclede Gas Company for an )  
Accounting Authority Order )  
Authorizing the Company to Defer ) Case No. GU-2007-0138  
for Future Recovery the Costs )  
of Complying with the Permanent )  
Amendment to the Commission's )  
Cold Weather Rule )

MORRIS L. WOODRUFF, Presiding  
DEPUTY CHIEF REGULATORY LAW JUDGE

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## 1 A P P E A R A N C E S

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

2 JUDGE WOODRUFF: Welcome, everyone. We are here  
3 today for a prehearing conference in GU-2007-0138. And  
4 we'll begin today by taking entries of appearance  
5 beginning with Laclede.

6 MR. PENDERGAST: Michael C. Pendergast and Rick  
7 Zucker, appearing on behalf of Laclede Gas Company. Our  
8 business address is 720 Olive Street, St. Louis, Missouri,  
9 63101.

10 JUDGE WOODRUFF: And for Staff?

11 MS. HEINTZ: Jennifer Heintz for the Staff of  
12 the Commission, P.O. Box 360, Jefferson City, Missouri,  
13 65102.

14 JUDGE WOODRUFF: And for Public Counsel?

15 MR. POSTON: Marc Poston, appearing for the  
16 Office of Public Counsel P.O. Box 2230, Jefferson City,  
17 Missouri, 65102.

18 JUDGE WOODRUFF: All right. Well, I called this  
19 prehearing conference today so that we could discuss how  
20 to proceed in this case.

21 As you're all aware, we have a statutory  
22 deadline established of April 28th, so we need to do  
23 something fairly quickly on this. And I wanted to ask  
24 you, is there any factual dispute involved in this case,  
25 and do we need to have a hearing? I'll ask Mr. Poston

1 first since --

2 MR. POSTON: Well, we may be able to come to an  
3 agreement on the numbers. We just need to sit down and --  
4 and look through them. I know there's been some updates  
5 that we haven't looked at yet that we'd like to see.

6 JUDGE WOODRUFF: Okay.

7 MR. PENDERGAST: I can't remember. My own view  
8 is similar to Mr. Poston's. It may be possible to go  
9 ahead -- well, No. 1, it may be possible to still reach an  
10 agreement, and we're going to continue to go ahead and  
11 talk about that. But barring coming to an agreement, I  
12 think it may be possible to have a stipulated set of  
13 facts --

14 JUDGE WOODRUFF: That would be good.

15 MR. PENDERGAST: -- that we could go ahead and  
16 submit to the Commission and simply brief it or what have  
17 you.

18 I suppose the only thing is if we're not able to  
19 go ahead and do that and there are still some factual  
20 disputes, I can't for the life of me think that it would  
21 take one more day, more than one day to go ahead and do  
22 this. And -- and, you know, but it might be prudent to go  
23 ahead and try and reserve at least one day in the event  
24 that we -- we need to do that. And we'll do what we can  
25 to try and avoid it. But, you know, if we're not

1 successful, that might be wise.

2 JUDGE WOODRUFF: Okay. Anything -- Ms. Heintz,  
3 anything you want to add?

4 MS. HEINTZ: No. That sounds fine with me, your  
5 Honor.

6 JUDGE WOODRUFF: Okay. So to that end, I  
7 printed out a copy of the calendar, hearing calendar, if  
8 you want to take a look at it.

9 If we do have to have a hearing, I expect it  
10 would probably have to be in late March in order to give  
11 me enough time to write it and give it to the Commission  
12 and give it a ten-day effective date, and so things do  
13 tend to go fairly quickly.

14 MR. POSTON: So it's looking like the 31st is --

15 MR. PENDERGAST: Is the 31st available?

16 JUDGE WOODRUFF: It is available, yes.

17 MR. POSTON: Yeah. It looks like a good day.

18 MR. PENDERGAST: Well, if it's going to be late  
19 March --

20 JUDGE WOODRUFF: That's as late as it gets.

21 MR. PENDERGAST: -- I vote for the 31st.

22 Anybody got a problem? I think that might work out best  
23 for us, give us a little more time to do what we need to  
24 do.

25 And as far as the filing of any kind of

1 testimony, should that prove necessary, would you like us  
2 to try and provide you something right now or maybe talk  
3 it over a little bit and come up with a recommendation  
4 before the day is over?

5 JUDGE WOODRUFF: Just go ahead and talk it over  
6 and give me some recommendations as to what you want to  
7 do.

8 MR. PENDERGAST: Okay.

9 JUDGE WOODRUFF: We can do it live without  
10 prefiled if you want.

11 MR. PENDERGAST: Okay. Yeah. We'll talk about  
12 that.

13 JUDGE WOODRUFF: I personally like prefiled  
14 testimony. So if that works out better, too, that's fine.

15 MR. PENDERGAST: Okay.

16 JUDGE WOODRUFF: Why don't you give me a --  
17 we'll call it status report on Monday, the 10th?

18 MR. PENDERGAST: Great. Good.

19 JUDGE WOODRUFF: Just tell me what you want to  
20 do and give me a proposed procedural schedule if that's  
21 what you want to do. If you don't believe the procedure  
22 schedule is necessary, tell me that.

23 MR. PENDERGAST: Fantastic. Great.

24 JUDGE WOODRUFF: And so if you've worked out an  
25 agreement, tell me that, too.

1                   MR. PENDERGAST: Okay. And in the meantime,  
2 you'll try and reserve the 31st?

3                   JUDGE WOODRUFF: Yes. I'll write that on the  
4 calendar, reserve the 31st.

5                   MR. PENDERGAST: Very good.

6                   JUDGE WOODRUFF: Anything else we want to bring  
7 up while we're on the record?

8                   MR. POSTON: No.

9                   JUDGE WOODRUFF: With that, then, the  
10 on-the-record portion of this prehearing conference is  
11 adjourned, and I'll leave to you your discussions. Thank  
12 you.

13                   MR. POSTON: Thank you.

14                   MS. HEINTZ: Thanks, your Honor.

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