

Ozark Medical Center

vs.

Summit Natural Gas of Missouri

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Procedural Conference Before:

Judge Charles Hatcher

February 14, 2022

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**PHIPPS REPORTING**

*Raising the Bar!*

BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS  
Procedural Conference (WebEx)

Monday, February 14, 2022  
2:58 p.m. - 3:08 p.m.

Governor Office Building  
200 Madison Street  
Jefferson City, MO 65102-0360

VOLUME 1 pages 1 - 8

Ozarks Medical Center            )  
d/b/a Ozarks Healthcare,        )  
  )  
                  Complainant,        )  
  )  
                  vs.                    ) File No. GC-2022-0158  
  )  
Summit Natural Gas of            )  
Missouri, Inc,                    )  
  )  
                  Respondent.        )

CHARLES HATCHER, Presiding  
REGULATORY LAW JUDGE

Stenographically Reported By:  
Beverly Jean Bentch, RPR, CCR No. 640

Job No.: 233875

1 APPEARANCES:

2 On behalf of Summit Natural Gas of Missouri Inc.:

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9 On behalf of Ozarks Medical Center d/b/a Ozarks  
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13 Jefferson City, MO 65101

14 BY: CALEB HALL, ESQ.  
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16 On behalf of the Staff of the  
17 Public Service Commission:

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22 BY: JAMIE MYERS, ESQ.  
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24 and  
25 PAUL GRAHAM, ESQ.  
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On behalf of the Office of the Public Counsel:

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BY: MARC POSTON, ESQ.  
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1 The following proceedings began at 2:58 p.m.:

2 JUDGE HATCHER: Let's go on the record. Today  
3 the Commission has set this time aside for a Procedural  
4 Conference in File No. GC-2022-0158. That is Ozarks  
5 Medical Center as Complainant and Summit Natural Gas of  
6 Missouri as the Respondent.

7 So let me tell you where I'm getting pushback  
8 from and that is that the parties have not agreed that  
9 all of the facts can be stipulated. So that sentence  
10 that was in the pleading that said almost all is the  
11 admission that they're not all agreed to. So you all  
12 want to avoid a hearing was kind of my understanding.

13 Mr. Hall, this is your baby. Do you want to  
14 lead us?

15 MR. HALL: Sure, Judge. Thank you. Caleb  
16 Hall from Stinson LLP appearing on behalf of Ozarks  
17 Medical Center d/b/a Ozarks Healthcare. While given  
18 that that was your opening foray, Judge, can I ask for  
19 confirmation that that was the only part of the schedule  
20 that the Commission saw any issue with?

21 JUDGE HATCHER: Yes. I confirmed that was the  
22 only issue that was brought up to me because that led  
23 into legal issues about drafting of the order at the end  
24 of the case from simple things like does the stipulation  
25 of facts, is that going to include everything that the

1 Commission needs to cite that SNGMO is a company and  
2 they're in Missouri, et cetera, and how will the  
3 Commission handle whatever the remaining disputed fact  
4 or facts are. My thought, and I'm just throwing this  
5 out there as a discussion idea, is a hearing date, I  
6 don't know, what do you want to call that, a potential  
7 hearing date, a save the date hearing date so that  
8 basically the Commission does not want to be in the  
9 position and has had recent experiences of parties  
10 saying here are the facts, please decide it without a  
11 hearing and the Commission then finds that they need to  
12 do some cleanup at the back end which is what I'm trying  
13 to avoid.

14 So I don't think I have any other cards to lay  
15 out. That was the only issue. If we can call it maybe  
16 a temporary hearing date or some way to clean up if  
17 somebody finds fault with the stipulation of facts or if  
18 there's a disputed fact that suddenly needs to be  
19 undisputed. I really shouldn't be allowed to just talk  
20 into a microphone. Mr. Hall, please save me.

21 MR. HALL: Judge, in that case, I think my  
22 question would be when would you like a second filing  
23 from the parties, because I am confident that we can  
24 come to an agreement on some type of tentative hearing  
25 date with revised schedule going forward. If that was

1 the only concern the Commission had, I'm confident we  
2 can move forward.

3 JUDGE HATCHER: Awesome. I don't need a  
4 timeline. If we bump against, I think February 24 is  
5 whatever the next date that pops up in what you guys  
6 submitted, if we get there, I will handle it the same  
7 way I did with the -- oh, the data request response  
8 times. I will just quote on motion of the Commission on  
9 its own and resolve that. But you know, sooner is  
10 better, because whatever your procedural schedule ends  
11 up being has to go to the Commission for agenda  
12 approval. So just add that one Wednesday in there  
13 between when it gets to me and when it would, quote, go  
14 into effect. But like I said, I'll happily clean up the  
15 next deadline that's coming up. I think it was also a  
16 discovery deadline. I haven't pulled it up.  
17 Mr. Cooper.

18 MR. COOPER: Yes, Judge. Dean Cooper  
19 appearing for Summit Natural Gas of Missouri, Inc. That  
20 sounds good to me. In fact, I guess I would ask that  
21 perhaps we be given this line once we go off the record  
22 for the procedural conference just to continue the  
23 discussion somewhat. I had sent to some other people  
24 something just for consideration and review and  
25 discussion, and perhaps we could at least have an

1 initial discussion of that again after we go off the  
2 record.

3 JUDGE HATCHER: Absolutely. And I double  
4 checked when setting up this conference to make sure  
5 that I can specifically hang up and somebody will become  
6 the host. I don't know who. It will be a surprise to  
7 all of us. I realize now I did not ask for  
8 introductions. I didn't even pull up a script for a  
9 procedural conference.

10 We have had introductions by Ozarks Healthcare  
11 and by Summit Natural Gas. Staff, would you like to go  
12 ahead and make your introduction for the record?

13 MS. MYERS: Sure. Good afternoon, Judge.  
14 Jamie Myers on behalf of the Staff of the Missouri  
15 Public Service Commission, and I believe Paul Graham may  
16 also be joining me.

17 MR. GRAHAM: He is here. Paul Graham also  
18 entering on behalf of the Staff.

19 JUDGE HATCHER: Thank you. And I don't see  
20 any other attorneys on the line. I'll go ahead and ask  
21 if there's any other parties that would like to make an  
22 introduction, go ahead now.

23 MR. POSTON: Marc Poston with OPC. Thank you.

24 JUDGE HATCHER: Okay. I think I'm done. I'm  
25 going to open it back up, Mr. Hall, Mr. Cooper, Ms.

1 Myers or Mr. Graham. Anything I have forgotten before I  
2 get ready to hang up in the next minute or so? Anything  
3 else we want to talk about? Excellent. I like these  
4 meetings. I really wish I had the power to strike some  
5 of the things I said on the record.

6 Thank you to our court reporter, Ms. Bentch.  
7 Thank you to all the parties. I am going to leave the  
8 line and close our procedural conference. We are off  
9 the record. Ms. Bentch, thank you.

10 (Thereupon, the proceedings concluded  
11 at 3:08 p.m.)

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CERTIFICATE OF REPORTER

STATE OF MISSOURI )  
COUNTY OF COLE )

I, Beverly Jean Bentch, RPR, CCR No. 640, do hereby certify that I was authorized to and did stenographically report the foregoing Public Service Commission procedural conference and that the transcript, pages 1 through 7, is a true record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or counsel connected with the action, nor am I financially interested in the action.

Dated this 21st day of February, 2022.

Beverly Jean Bentch  
Beverly Jean Bentch, RPR, CCR No. 640

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