

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
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4 TRANSCRIPT OF PROCEEDINGS
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6 Prehearing Conference
7 April 12, 2010
8 Jefferson City, Missouri
9 Volume 1
10 John W. Holley,)
11 Complainant,)
12 v.) Case No. GC-2010-0225
13 Union Electric Company)
14 D/B/A AmerenUE,)
15 Respondent.)
16
17 DANIEL JORDAN, Presiding
18 REGULATORY LAW JUDGE.
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20 REPORTED BY:
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FOR: Staff of the Missouri Public
16 Service Commission.

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

2 JUDGE JORDAN: The Commission calls the
3 case that is listed under File Number GC-2010-0225
4 which is called Holley versus AmerenUE. I'm Daniel
5 Jordan. I'm the regulatory law judge assigned to
6 this case. We'll start with entries of appearance
7 and note client representatives. We'll start with
8 the Complainant. And I don't see anyone in this room
9 who looks like the Complainant. Is Frances or John
10 Holley on the line right now?

11 (NO RESPONSE.)

12 JUDGE JORDAN: I'm not hearing anything,
13 and I've been out in the lobby of this building to
14 see if anyone is looking for this room, and I haven't
15 seen anyone, so the Holleys are absent. Let's go
16 next to AmerenUE, please.

17 MS. GIBONEY: This is Sarah Giboney,
18 Smith Lewis, Columbia, Missouri for AmerenUE.

19 MS. TATRO: And Wendy Tatro, 1901
20 Chouteau Avenue, St. Louis, Missouri 63103, for
21 AmerenUE.

22 JUDGE JORDAN: Thank you. And do you
23 have representatives of your clients here today also?

24 MS. TATRO: We do not.

25 MS. HART: Kathy Hart, and I am at 101

1 Madison, Jefferson City, AmerenUE.

2 JUDGE JORDAN: Thank you. Anyone else
3 for AmerenUE?

4 (NO RESPONSE.)

5 JUDGE JORDAN: Okay. Not hearing
6 anyone, so we'll go next to Staff.

7 MR. RITCHIE: Appearing for the Staff of
8 the Public Service Commission, Sam Ritchie, P.O. Box
9 360, Jefferson City, Missouri 65102.

10 JUDGE JORDAN: Mr. Ritchie, you have
11 some representatives, your client, today also, do you
12 not?

13 MR. RITCHIE: I do. From the Consumer
14 Services Department I have Mary Duncan and Gay Fred.

15 JUDGE JORDAN: And also technically the
16 Office of Public Counsel is a party to this action,
17 so I'll ask if there's anyone on the line
18 representing Office of Public Counsel?

19 (NO RESPONSE.)

20 JUDGE JORDAN: And I'm not hearing
21 anything and I don't see anyone in this room who is
22 from the Office of Public Counsel, so there we are.

23 Well, part of the purpose of this
24 proceeding was to help -- to explain to the
25 Complainants how the procedure in a complaint action

1 goes, but since they're absent, there wouldn't be a
2 whole lot of purpose for that, even more so, since we
3 have experienced counsel in this case who probably
4 don't really need my help with that kind of
5 explanation.

6 I will ask one thing, though, which is
7 something I'd hoped to straighten out in this
8 proceeding. We had one John W. Holley filing this
9 action on behalf of Frances Ann Holley, and there are
10 indications in the file that they are brother and
11 sister, that he has power of attorney for her, so
12 I'll start with AmerenUE and ask them whether they
13 can tell me who is liable on the account, who really
14 is the Complainant here.

15 MS. HART: Well, I can tell you the name
16 that is under the account is under Frances Holley.

17 JUDGE JORDAN: Okay. As far as you can
18 tell, does John Holley have any liability on this
19 bill, on this account?

20 MS. HART: I don't know that his name is
21 anywhere on that.

22 JUDGE JORDAN: Okay. All right. Does
23 Staff have any reason to believe that the matter is
24 otherwise then as described here.

25 MS. DUNCAN: Other than the billing as

1 it's mailed out is mailed out to her in care of him,
2 so they are mutually addressed on the billing.

3 JUDGE JORDAN: Okay. AmerenUE, does
4 that sound like what your records reflect? Is it
5 mailed to one person in care of another?

6 MS. HART: I can look at that.

7 JUDGE JORDAN: Please do. As to that, I
8 don't know that it would really make a difference.

9 MS. HART: It is mailed to John Holley
10 at a different address, but we have several -- you
11 know, a lot of accounts that do that, people have
12 those mailed to others, but we really will look to
13 Frances Holley for the bill to be paid.

14 MR. RITCHIE: We do have copies of bills
15 with both names.

16 JUDGE JORDAN: Okay. But that sounds
17 more like a mailing arrangement than a payment,
18 necessarily a liability arrangement.

19 MS. DUNCAN: We don't have paper
20 documentation, but we do have Mr. Holley's verbal
21 report that he has power of attorney for his sister,
22 that she is disabled.

23 JUDGE JORDAN: Okay. But as far as
24 AmerenUE knows, they're just sending the bills to him
25 for payment for -- for payment, but he's not the one

1 using the service and he's not the one liable for
2 payment; is that correct?

3 MS. HART: That is correct.

4 JUDGE JORDAN: Okay. All right. Well,
5 I think that's about as much clarification as we can
6 get on that issue. I think that's about all we can
7 do without the Complainants here. But I do
8 appreciate your time and I do appreciate your
9 assistance with straightening out that issue.

10 So unless somebody has something else,
11 we can go off the record. Does anybody else have
12 anything?

13 MS. TATRO: No.

14 MR. RITCHIE: Nothing from Staff.

15 JUDGE JORDAN: Okay. Well, thank you
16 very much for your time and thank you for your
17 assistance in figuring out who the Complainant really
18 is here. And with that, I will adjourn this
19 prehearing conference and we'll go off the record.

20 (WHEREUPON, the prehearing conference
21 was adjourned.)

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1 C E R T I F I C A T E

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3 STATE OF MISSOURI)
4) ss.
5 COUNTY OF COLE)

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7 I, Pamela Fick, Registered Merit Reporter
8 and Certified Shorthand Reporter do hereby certify
9 that I was personally present at the proceedings had
10 in the above-entitled cause at the time and place set
11 forth in the caption sheet thereof; that I then and
12 there took down in Stenotype the proceedings had; and
13 that the foregoing is a full, true and correct
14 transcript of such Stenotype notes so made at such
15 time and place.

16 Given at my office in the City of
17 Jefferson, County of Cole, State of Missouri.

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PAMELA FICK, RMR, CCR #447, CSR

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