

1 STATE OF MISSOURI  
2 PUBLIC SERVICE COMMISSION  
3 TRANSCRIPT OF PROCEEDINGS  
4  
5 Prehearing Conference  
6 May 17, 2013  
7 Wainwright State Office Building, Room 116  
8 St. Louis, Missouri  
9 Volume No. 1

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12 William Wehrle, )  
 )  
13 Complainant, )  
 )  
14 vs. ) File No. GC-2013-0361  
 )  
15 Laclede Gas Company, )  
 )  
16 Respondent. )

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18 Kennard L. Jones, Presiding  
SENIOR REGULATORY LAW JUDGE

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22 REPORTED BY:  
AMANDA N. FARRAR, CCR  
23 MIDWEST LITIGATION SERVICES

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APPEARANCES

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For the Complainant:  
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For the Staff of the Missouri Public  
Service Commission:

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Senior Counsel  
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Jefferson City, Missouri 65102

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

2 JUDGE JONES: Let's go ahead and go on  
3 the record with Case No. GC-2013-0361. William  
4 Wehrle, W-E-R-H-L-E --

5 MR. WEHRLE: It's W-E-H-R-L-E. Thank  
6 you.

7 JUDGE JONES: Thank you -- versus  
8 Laclede Gas. My name is Kennard Jones. I'm the  
9 regulatory law judge assigned to this matter. At  
10 this time we'll take entries of appearances.  
11 Mr. Wehrle, just state your presence and.

12 MR. WEHRLE: William Wehrle. I am the  
13 owner of the home at 101 Spencer Court where they  
14 came in the middle of the night to do their service  
15 work. I'm also retired. I'm 67.

16 JUDGE JONES: All right. Well,  
17 congratulations on your retirement. And from the  
18 staff of the Commission.

19 MS. KLIETHERMES: Thank you, Judge.  
20 Sarah Kliethermes on behalf of and on the staff of  
21 the Missouri Public Service Commission, 200 Madison  
22 Street, Jefferson City, Missouri 65101.

23 JUDGE JONES: And from Laclede Gas.

24 MR. ZUCKER: Rick Zucker, Z-U-C-K-E-R,  
25 here on behalf of Laclede Gas Company, 720 Olive

1 Street, St. Louis, Missouri 63101.

2 JUDGE JONES: All right. First I want  
3 to ask: Have you-all talked at all prior to today?

4 MR. ZUCKER: We have. We have not  
5 talked in a while though.

6 JUDGE JONES: And apparently that was to  
7 no end?

8 MR. WEHRLE: When Rick introduced  
9 himself to me, he introduced himself as a public  
10 service assistant -- assistant to the public -- to  
11 the customer service at Laclede Gas. I did not know  
12 he was an attorney. He must have forgot to mention  
13 that.

14 I wanted to get that on the record  
15 because I think it was very deceptive of you not to  
16 tell me.

17 JUDGE JONES: Let's not get off on a bad  
18 foot this morning.

19 MR. WEHRLE: Well, I didn't get us off  
20 to a bad start. I think somebody else did.

21 JUDGE JONES: Well, whoever. It doesn't  
22 matter who.

23 MR. WEHRLE: Okay.

24 JUDGE JONES: But it's noted on the  
25 record.

1 MR. WEHRLE: Thank you.

2 MR. ZUCKER: Well, let me add that I'm  
3 not an assistant to the customer service and I doubt  
4 that I said I was. I am an assistant general  
5 counsel and I apolo -- and, you know, I had filed a  
6 pleading answering your complaint with my name and  
7 title on it and I'm sorry if you were misled when we  
8 talked.

9 MR. WEHRLE: Thank you. I appreciate  
10 your apology, Rick.

11 JUDGE JONES: Well, let me ask you this:  
12 Did your perception of his responsibilities affect  
13 you-all's ability to settle the matter?

14 MR. WEHRLE: First of all --

15 JUDGE JONES: Had you known he was an  
16 attorney?

17 MR. WEHRLE: I did not know he had the  
18 authority to settle the matter.

19 JUDGE JONES: Oh, okay.

20 MR. WEHRLE: And when he asked me what  
21 was I excepting, I did not know because I, you know,  
22 maybe I hadn't done my paperwork, but I did not know  
23 that he had the authority to settle this.

24 JUDGE JONES: And is it for that reason  
25 that you didn't want to discuss --

1 MR. WEHRLE: That's the reason we're  
2 here.

3 JUDGE JONES: No. Is that the reason  
4 you didn't want to at that time discuss settling the  
5 matter because you didn't know he had the authority  
6 to do so?

7 MR. WEHRLE: Yes, sir.

8 JUDGE JONES: Oh, all right. Well, you  
9 want to do that now?

10 MR. WEHRLE: No. I want to go ahead  
11 with this.

12 JUDGE JONES: No, no, no. Do you want  
13 to try to settle the matter?

14 I should explain to you this is a  
15 prehearing conference. At this conference,  
16 normally, the judge would just simply take your  
17 entries of appearances, try to make sure that you  
18 understand the process and then leave you-all to try  
19 to settle it and at some future date, if necessary,  
20 hold an actual evidentiary hearing. So this is an  
21 opportunity for you to be able to settle it if you  
22 can.

23 MR. WEHRLE: I don't think we're going  
24 to be able to settle it, Your Honor.

25 JUDGE JONES: Okay.

1 MR. ZUCKER: I'm glad to discuss it and  
2 see if we can.

3 JUDGE JONES: Well, do you want to  
4 discuss the matter?

5 MR. WEHRLE: I would be willing to  
6 discuss it.

7 JUDGE JONES: Well, with that then,  
8 you-all have to discuss it. I can't be involved in  
9 those discussions.

10 MR. WEHRLE: Okay.

11 JUDGE JONES: Because they are  
12 potentially towards settling the matter and if you  
13 don't settle it, then I've been privy to those  
14 discussions and am in some way affected during my  
15 objectivity of the evidentiary hearing.

16 MR. WEHRLE: Yes, sir.

17 JUDGE JONES: So with that then, you can  
18 just go off the record and I'll let you-all discuss  
19 it and see what you can work out.

20 MR. WEHRLE: Thank you.

21 JUDGE JONES: With that then, we're off  
22 the record.

23 (Prehearing concluded at 10:17 a.m.)

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1 CERTIFICATE OF REPORTER

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3 I, Amanda N. Farrar, a Certified Court

4 Reporter for the State of Missouri, do hereby

5 certify that the witness whose testimony appears in

6 the foregoing deposition was duly sworn by me; the

7 testimony of said witness was taken by me to the

8 best of my ability and thereafter reduced to

9 typewriting under my direction; that I am neither

10 counsel for, related to, nor employed by any of the

11 parties to the action in which this deposition was

12 taken, and further that I am not a relative or

13 employee of any attorney or counsel employed by the

14 parties thereto, nor financially or otherwise

15 interested in the outcome of the action.

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Certified Court Reporter

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