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

2 For Staff of the Missouri Public Service Commission:

3 Mr. Robert Franson
4 and Mr. Steven Dottheim
5 Public Service Commission
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10 For Jackson County:

11 Mr. Jeremiah Finnegan
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15 Kansas City, MO 64111
16 (816) 753-1122

17 For Thermal North America, Inc.:

18 Mr. Tom Mullolly
19 Foley & Larder, LLP
20 777 East Wisconsin Avenue
21 Milwaukee, WI 53202

22 For Trigen Kansas City:

23 Mr. Paul DeFord
24 Lathrop & Gage
25 2345 Grand Boulevard
26 Kansas City, MO 64108
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28 For City of Kansas City:

29 Mr. Mark W. Comley
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1 P R O C E E D I N G S

2 JUDGE WOODRUFF: Let's go ahead and
3 get started then. We're here for a prehearing
4 conference in Case No. HC-2005-0331, which is
5 Jackson County's complaint against
6 Trigen-Kansas City -- Trigen-Kansas City Energy
7 Corporation and Thermal North America. And
8 we'll begin today by taking entries of
9 appearance, beginning with Jackson County.

10 MR. FINNEGAN: On behalf of Jackson
11 County, Jeremiah Finnegan, 3100 Broadway, Suite
12 1209, Kansas City, Missouri, 64111.

13 JUDGE WOODRUFF: Thank you. And for
14 Trigen?

15 MR. DEFORD: Paul DeFord with the law
16 firm of Lathrop & Gage, 2345 Grand Boulevard,
17 Kansas City, Missouri, 64108, appearing on
18 behalf of Trigen-Kansas City.

19 JUDGE WOODRUFF: Thank you.
20 Mr. Mullolly, are you entering your appearance
21 also or --

22 MR. MULLOLLY: I think, your Honor,
23 it would not really be a formal appearance. I
24 think Thermal North America did not appear to
25 be a proper party to the case and hasn't been

1 served with a complaint, so I'd like to enter a
2 limited appearance for the purpose of
3 participating in today's prehearing conference
4 in hoping to straighten thi sout with the
5 parties. My name is Thomas Mullolly. I'm with
6 Foley & Lardner, LLP, 777 East Wisconsin
7 Avenue, Milwaukee, Wisconsin, 53202.

8 JUDGE WOODRUFF: Thank you. For the
9 City of Kansas City?

10 MR. COMLEY: Mark W. Comley, Newman,
11 Comley & Ruth, P.O. Box 537, Jefferson City,
12 Missouri, 65102, on behalf of the City of
13 Kansas City.

14 JUDGE WOODRUFF: Thank you. All
15 right. And for staff?

16 MR. FRANSON: Robert Franson and
17 Steve Dottheim representing the Staff of the
18 Missouri Public Service Commission, P.O. Box
19 360, Jefferson City, Missouri, 65102.

20 JUDGE WOODRUFF: Okay. And I don't
21 see anyone here from the Office of Public
22 Counsel. Mr. Coffman for Public Counsel called
23 me Friday and indicated that he was going to
24 try and have someone here, but might not be
25 able to. But they are still interested in

1 monitoring the case, if not actively
2 participating. All right. Well, the main
3 reason I asked you all to participate in this
4 conference was so that we could establish a
5 procedural schedule to consider these issues.
6 And I'm going to ask you to do that and prepare
7 a proposed procedural schedule to be filed by a
8 week from today, May 23rd.

9 And Mr. Mull -- Mullolly brought up
10 another issue of whether Thermal North America
11 needs to be in this case. And I'll let you
12 discuss that also. And if -- if they can be
13 dismissed, let me know. If there's going to be
14 an issue on that, let me know also at the time
15 you file the procedural schedule.

16 Any matters anyone wants to bring up while
17 we're on the record?

18 MR. FINNEGAN: I have one question
19 just to -- what was the prehearing schedule?
20 By when?

21 JUDGE WOODRUFF: By one week from
22 today, which would be the 23rd.

23 MR. FINNEGAN: Okay. Thank you.

24 JUDGE WOODRUFF: All right. Well,
25 hearing nothing that needs to be on the record,

1 then, at this point, the on-the-record portion
2 of this proceeding will be adjourned. And I'll
3 leave you to your discussions. And just when
4 you're done, I guess just hang up the phone and
5 that will break the conference call.

6 MR. FINNEGAN: Thank you.

7 JUDGE WOODRUFF: Thank you.

8 MR. DEFORD: Thank you.

9 (The proceedings were concluded at
10 10:05 a.m. on May 15, 2005.)

1 REPORTER'S CERTIFICATE

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3 STATE OF MISSOURI)
) ss.
4 COUNTY OF OSAGE)

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6 I, Monnie S. VanZant, Certified Shorthand Reporter,
7 Certified Court Reporter #0538, and Registered Professional
8 Reporter, and Notary Public, within and for the State of
9 Missouri, do hereby certify that I was personally present at
10 the proceedings as set forth in the caption sheet hereof;
11 that I then and there took down in stenotype the proceedings
12 had at said time and was thereafter transcribed by me, and is
13 fully and accurately set forth in the preceding pages.

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15 IN WITNESS WHEREOF, I have hereunto set my hand and
16 seal on May 30, 2005.

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Monnie S. VanZant, CSR, CCR #0539
21 Registered Professional Reporter

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