

BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

PROCEDURAL CONFERENCE

October 4, 2016

Jefferson City, Missouri

Volume 1

The Staff of the Missouri Public Service
Commission,
vs. Complainant,

Missouri Gas Energy, An Operating Unit of
Laclede Gas Company,
Respondent.

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) File No. GC-2016-0149
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NANCY DIPPELL, Presiding
REGULATORY LAW JUDGE

REPORTED BY:
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P R O C E E D I N G S

JUDGE DIPPELL: This is the time set for a procedural conference in The Staff of the Missouri Public Service Commission versus Missouri Gas Energy, operating company -- or Operating Unit of Laclede Gas, Case No. GC-2016-0149. It is October 4th. And I'm Nancy Dippell, the regulatory law judge assigned to this and I will start with entries of appearance. Can we start with Staff.

MR. JOHNSON: On behalf of Staff, Mark Johnson.

JUDGE DIPPELL: Public Counsel?

MR. POSTON: Mark Poston appearing for the Office of the Public Counsel.

JUDGE DIPPELL: And MGE or Laclede, which should I call you?

MR. ZUCKER: You should call us MGE for this case.

JUDGE DIPPELL: Okay.

MR. ZUCKER: Rick Zucker here on behalf of Missouri Gas Energy, also known as MGE.

JUDGE DIPPELL: So again, I set this time for basically the procedural prehearing conference so you all could figure out dates and so forth, but let me just start by asking -- because when I read through the complaint and the answer, it really looks like there's not a lot of facts in dispute. It looks to me like there's legal issues of was there a variance

1 required and if so or if not, was the notice sufficient. Do you
2 all see other factual issues that are --

3 MR. ZUCKER: There really aren't many factual
4 issues. I agree with you. Whether the variance is required, I
5 think Staff has moved on from that to the proration issue.

6 JUDGE DIPPELL: Okay.

7 MR. ZUCKER: Originally the case was about the
8 variance and now it's about proration. We are trying to develop
9 the facts on how many were prorated and when, so there is some
10 -- there are some facts to develop from that standpoint.

11 Otherwise, you're right; it's not -- it shouldn't be a real
12 difficult case from a factual standpoint.

13 JUDGE DIPPELL: Okay. Well, I would encourage
14 you all then to -- as you're looking at this, consider whether
15 this is appropriate for a motion for summary judgment, maybe
16 just oral arguments and not -- you know, if you guys could
17 stipulate to the facts, or even if you can't stipulate to all of
18 the facts, if you could stipulate to -- I mean, like you say,
19 there's a lot of agreement in the answer and the complaint as to
20 the basics, so if you guys could stipulate to those facts then
21 that would make any hearing more arguments or whatever, that
22 much easier and really narrow it down to whatever's at stake.

23 Do you all have any questions for me?

24 MR. POSTON: No. I don't think so.

25 MR. JOHNSON: No.

1 JUDGE DIPPELL: Okay. I printed out a few
2 months, like through February of the Commission's calendar. But
3 as you probably all are aware it gets really busy with rate
4 cases after the first of the year. So I also -- I don't know
5 how involved you all are in the rate cases, so if -- you know,
6 you might consider I'm not that busy right now, so you might
7 consider getting this over with before the first of the year,
8 too, if you can manage that. If not, it may have to be
9 scheduled even farther out.

10 MR. JOHNSON: I know Mark is probably, Mark
11 Poston probably busier than I am.

12 MR. POSTON: I am with -- yeah, with those rate
13 cases.

14 JUDGE DIPPELL: Okay. So well, I'll let you all
15 -- like I say, my calendar is pretty open right now, so I will
16 probably most likely be happy with whatever you come up with.

17 If there's nothing else for me, then we can go
18 off the record and I'll leave you all to it.

19 (Hearing has concluded.)
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CERTIFICATE OF REPORTER

I, LISA M. BANKS, a Certified Court Reporter, within and for the State of Missouri, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken, and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.


Li sa M. Banks, CCR



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