

1 STATE OF MISSOURI  
2 PUBLIC SERVICE COMMISSION  
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6 TRANSCRIPT OF PROCEEDINGS  
7 Pre-hearing Conference  
8 February 5, 2008  
9 Jefferson City, Missouri  
10 Volume 1  
11  
12 Percy Cannon, )  
13 Complainant, )  
14 ) Case No.  
15 ) GC-2008-0169  
16 Missouri Gas Energy, )  
17 Respondents. )  
18  
19 HAROLD STEARLEY, Presiding,  
20 REGULATORY LAW JUDGE  
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23 REPORTED BY:  
24 MINDY VISLAY, CCR  
25 MIDWEST LITIGATION SERVICES

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

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13                   Service Commission.

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

2 JUDGE STEARLEY: Good morning, today is  
3 Tuesday, February 5th, 2008. We are here for a  
4 scheduled pre-hearing conference in Percy Cannon  
5 versus Missouri Gas Energy, Case No. GC-2008-0169.

6 My name is Harold Stearley, I'm the presiding  
7 officer over this matter. And we will begin by taking  
8 oral entries of appearance beginning with MGE.

9 MR. COOPER: Dean L. Cooper, law firm of  
10 Brydon, Swearngen & England, P.C., P.O. Box 456,  
11 Jefferson City, Missouri 65102 appearing on behalf of  
12 Missouri Gas Energy, a division of Southern Union  
13 Company.

14 JUDGE STEARLEY: On behalf of the Missouri  
15 Public Service Commission.

16 MR. THOMPSON: Yes, Judge, thank you.  
17 Kevin Thompson, General Counsel, P.O. Box 360,  
18 Jefferson City, Missouri 65102, appearing on behalf of  
19 the staff of the Missouri Public Service Commission.

20 JUDGE STEARLEY: I'm going to let the  
21 record reflect that no one is present for the Office  
22 of Public Counsel and that we have made numerous  
23 attempts this morning to have the Complainant join us  
24 by phone bridge, Mr. Percy Cannon, and have been  
25 unable to make contact with Mr. Cannon this morning,

1 so he also is not in appearance.

2 The reason I scheduled this pre-hearing conference  
3 in this; MGE had filed the Notice of Satisfaction in  
4 this case back on December 21st and gave Mr. Cannon an  
5 opportunity to respond to that, and he did not, so I  
6 actually initiated a contact with him, procedurally,  
7 to make sure he understood that he was, in fact,  
8 supposed to respond and asked him the reason for his  
9 not filing a response with the Commission, and at that  
10 point Mr. Cannon expressed his confusion with regard  
11 to what the Notice of Satisfaction actually meant.

12 So, the Commission, kind of keeping in its policy  
13 of providing pro se complainants an abundance of  
14 process, set up this pre-hearing conference today to  
15 be sure Mr. Cannon understood the implications of the  
16 Notice of Satisfaction and if there were any other  
17 issues not addressed in his complaint that he would  
18 have the opportunity to converse with the other  
19 parties in private regarding those matters and perhaps  
20 reach settlement.

21 Since he has not shown, I assume MGE would like to  
22 go forward with having this case dismissed?

23 MR. COOPER: We would, Your Honor, yes.

24 MR. THOMPSON: Staff has no objection.

25 It's our understanding Mr. Cannon is receiving gas

1 service, that he is making payments on amounts owed  
2 pursuant to a satisfactory payment plan, and that, in  
3 fact, there is nothing remaining to be redressed or to  
4 be done in this case.

5 JUDGE STEARLEY: And if I understand the  
6 Notice of Satisfaction correctly, the other portion of  
7 Mr. Cannon's complaint of bills following him from two  
8 proceeding addresses has also been resolved?

9 MR. COOPER: That's correct, Your Honor.  
10 MGE has indicated that it will disassociate those  
11 debts at those two addresses from Mr. Cannon such that  
12 should he seek service in his name in the future there  
13 would not be any attempt to recover those amounts from  
14 Mr. Cannon.

15 JUDGE STEARLEY: Well, very well. It  
16 appears the two items that were the subject of Mr.  
17 Cannon's complaint have been, in fact, resolved, and  
18 we certainly have given Mr. Cannon ample opportunity  
19 to respond if there were any other issues open at this  
20 time.

21 Staff and MGE appear to be in agreement, Office of  
22 Public Counsel did not appear, so at this point in  
23 time I will prepare an order to take to the  
24 Commissioners at the earliest possible agenda meeting.

25 With that we will adjourn this pre-hearing

1 conference.

2 MR. COOPER: Thank you, Your Honor.

3 MR. THOMPSON: Thank you.

4 (WHEREIN, the recorded portion of the pre-hearing  
5 conference was concluded.)

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## 1 CERTIFICATE OF REPORTER

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4 I, Mindy Vislay, Certified Court Reporter with the  
5 firm of Midwest Litigation Services, and Notary Public  
6 within and for the State of Missouri, do hereby  
7 certify that I was personally present at the  
8 proceedings had in the above-entitled cause at the  
9 time and place previously described; that I then and  
10 there took down in Stenotype the proceedings had; and  
11 that the foregoing is a full, true and correct  
12 transcript of such Stenotype notes so made at such  
13 time and place.

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Mindy Vislay, CCR

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Notary Public (County of Cole)

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My commission expires March 19, 2011

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