

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS
Prehearing Conference

July 14, 2008
Jefferson City, Missouri
Volume 2

Beverly A. Johnson,)
)
Complainant,)
)
v.) Case No. GC-2008-0295
)
Missouri Gas Energy,)
)
Respondent.)

HAROLD STEARLEY, Presiding,
REGULATORY LAW JUDGE

REPORTED BY:

Pamela Fick, RMR, RPR, MO CCR #447
Midwest Litigation Services

A P P E A R A N C E S

BEVERLY JOHNSON, Pro Se
4800 South Harper Road, Apartment 204
Kansas City, Missouri 64136

FOR: Herself.

DEAN L. COOPER, Attorney at Law
Brydon, Swearingen & England, P.C.
312 East Capitol
P.O. Box 456
Jefferson City, Missouri 65102-0456
(573) 635-7166

FOR: Missouri Gas Energy.

MARC D. POSTON, Senior Public Counsel
P.O. Box 2230
200 Madison Street, Suite 650
Jefferson City, Missouri 65102-2230
(573) 751-4857

FOR: Office of the Public Counsel
and the Public.

JENNIFER HEINTZ, Assistant General Counsel
P.O. Box 360
200 Madison Street
Jefferson City, Missouri 65102
(573) 751-3234

FOR: Staff of the Missouri Public
Service Commission.

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

2 JUDGE STEARLEY: All right. Good
3 morning. Today is Monday, July 14th, 2008, and we
4 are here for a prehearing conference in the case
5 Beverly A. Johnson versus Missouri Gas Energy, Case
6 Number GC-2008-0295.

7 My name is Harold Stearley and I'm the
8 presiding officer on this matter. The court reporter
9 this morning is Pam Fick. And we'll begin our
10 prehearing conference by taking oral entries of
11 appearance, starting with the Staff of the Missouri
12 Public Service Commission.

13 MS. HEINTZ: Thank you, Judge. Jennifer
14 Heintz for the Office of General Counsel for the
15 Staff of the Commission. And for Ms. Johnson, for
16 you to know, I also have with me here from Staff, Gay
17 Fred, the head of our Consumer Services Department,
18 and Marilyn Doerhoff, one of our consumer service
19 specialists.

20 MS. JOHNSON: Yes, ma'am.

21 JUDGE STEARLEY: Thank you, Ms. Heintz.
22 For the Office of Public Counsel.

23 MR. POSTON: Thank you. Marc Poston
24 appearing for the Office of Public Counsel.

25 JUDGE STEARLEY: All right. Thank you,

1 Mr. Poston. And Missouri Gas Energy.

2 MR. COOPER: Dean Cooper from the law
3 firm of Brydon, Swearingen & England, P.C., P.O.
4 Box 456, Jefferson City, Missouri 65102, appearing on
5 behalf of Missouri Gas Energy, a division of Southern
6 Union Company.

7 JUDGE STEARLEY: Okay. Thank you,
8 Mr. Cooper. And Ms. Johnson, if you'd please enter
9 your appearance for the record.

10 MS. JOHNSON: My name is Beverly
11 Johnson, 4200 -- no -- yeah, 4800 South Harper Road,
12 Kansas City, Missouri, Apartment 204, area code [sic]
13 64 -- oh, God, 3 -- 64136. I'm sorry.

14 JUDGE STEARLEY: That's all right.
15 Thank you very much. I realize there was already a
16 prehearing conference held in this matter when Judge
17 Lane was assigned this case, but the case has since
18 been reassigned, and that's why I wanted to call
19 today's prehearing.

20 It looked to me from looking at the
21 record that there had possibly been some settlement
22 negotiations ongoing, and I don't know if those are
23 totally deadlocked at this point or where the parties
24 are at, but I wanted to check with the parties to see
25 if there's still any ongoing settlement talks or the

1 parties have considered mediation on this matter.

2 MR. COOPER: I guess from my
3 perspective, your Honor, I think what settlement
4 discussions we had had run their course, and I think
5 I mentioned in a pleading there was some other
6 alternatives that were investigated.

7 It's my understanding that those have
8 run their course as well, so I think we are probably
9 back in the posture where we need to set this case to
10 be heard.

11 JUDGE STEARLEY: All right. And what is
12 the status of gas service for Ms. Johnson right now?
13 Is she still not receiving any service?

14 MR. COOPER: It's my belief she is not
15 receiving any service.

16 JUDGE STEARLEY: All right. And
17 Ms. Johnson, what do you -- what would you be using
18 the gas service for? Is it for heating, cooking?

19 MS. JOHNSON: Heating.

20 JUDGE STEARLEY: Uh-huh, for heating?

21 MS. JOHNSON: Yes.

22 JUDGE STEARLEY: Is it also for hot
23 water heating or just heating?

24 MS. JOHNSON: Just heating right now.

25 JUDGE STEARLEY: Just heating, okay.

1 MS. JOHNSON: Uh-huh.

2 JUDGE STEARLEY: All right. And at this
3 point, no service has been established to your
4 residence?

5 MS. JOHNSON: No, sir.

6 JUDGE STEARLEY: All right. Okay.
7 Well, it wasn't my intent to delay things any further
8 in this matter, but I did want to find out what the
9 current status of this case was.

10 MS. JOHNSON: Uh-huh.

11 JUDGE STEARLEY: And I do want to give
12 you-all an opportunity to further discuss things when
13 I leave this morning. If the parties remain
14 deadlocked at the conclusion of this conference, then
15 I would ask that you file a procedural schedule with
16 me by the 21st.

17 If things change from your discussions
18 this morning, you can simply file a status report for
19 me. I have brought down a copy of the current
20 commission hearing calendar that we can refer to, and
21 I do want to let you know that I will not be
22 available on the dates of August 13th and 14th and
23 the dates of August 26 through September 10.

24 MR. COOPER: 13 and 14th of August, your
25 Honor, and what was the second?

1 JUDGE STEARLEY: August 26th through
2 September 10.

3 MR. COOPER: Okay.

4 THE COURT: Other than that, I should be
5 available. Are there any other issues or matters I
6 need to address with the parties at this time?

7 MS. HEINTZ: With that procedural
8 schedule, would you want the issues list and -- you
9 want the full procedural schedule for us -- excuse
10 me. Do you want us to set up the full procedural
11 schedule in the filing on the 21st?

12 JUDGE STEARLEY: Since it will just be a
13 live hearing, I would just.

14 MS. HEINTZ: We're not prefiling
15 testimony?

16 JUDGE STEARLEY: No prefiled testimony.
17 An issues list, list of witnesses, et cetera, will be
18 quite sufficient.

19 MS. HEINTZ: Okay. Thank you.

20 JUDGE STEARLEY: All right. And with
21 that, we will end the on-the-record portion of this
22 prehearing conference, and I'll leave you-all to
23 further discussions.

24 MS. HEINTZ: Thank you, your Honor.

25 JUDGE STEARLEY: All right. Thank you.

1 And thank you, Ms. Johnson. Please hang on the line
2 and the other parties will have some discussions with
3 you.

4 MS. JOHNSON: Okay. Thank you.

5 JUDGE STEARLEY: Thank you.

6 (WHEREUPON, the recorded portion of the
7 prehearing conference was concluded.)

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