

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
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6 TRANSCRIPT OF PROCEEDINGS
7 Procedural Conference
8 February 21, 2014
9 Jefferson City, Missouri
Volume 1

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(Start time of conference: 2:00 p.m.)

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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS
Procedural Conference
February 21, 2014
Jefferson City, Missouri
Volume 1

In The Matter Of The
Application Of Missouri Gas
Energy, A Division Of
Laclede Gas Company, For File No. GO-2014-0179
Approval To Change Its
Infrastructure System
Replacement Surcharge

MORRIS L. WOODRUFF, Presiding,
CHIEF REGULATORY LAW JUDGE.

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36 Service Commission.

1 (Start time of hearing: 2:00 p.m.)

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

3 JUDGE WOODRUFF: Good afternoon,
4 everyone. Welcome to the Procedural Conference in
5 Case No. GO-2014-0179. And we'll begin today
6 taking entries of appearance.

7 First of all, for MGE?

8 MR. JACOBS: Todd Jacobs and Rick
9 Zucker on behalf of MGE.

10 JUDGE WOODRUFF: And for Staff?

11 MR. BORGMEYER: Appearing on behalf of
12 the Staff of the Missouri Public Service
13 Commission, my name is John Borgmeyer, and with me
14 is Akayla Jones.

15 JUDGE WOODRUFF: And for Public
16 Counsel?

17 MR. POSTON: Marc Poston appearing for
18 Public Counsel.

19 JUDGE WOODRUFF: Is anyone there for
20 Midwest Gas Users Association?

21 (No response.)

22 JUDGE WOODRUFF: Okay.

23 UNIDENTIFIED PERSON: I'm sorry. Can

24 --

25 JUDGE WOODRUFF: I asked if anyone was

1 here for Midwest Gas Users Association.

2 (No response.)

3 JUDGE WOODRUFF: Mr. Conrad has,
4 apparently, not joined us yet. If he joins us
5 later, that will be fine.

6 I asked you all to take part of this
7 conference today so we can decide how we want to
8 proceed from here. Public Counsel has requested a
9 hearing, and so we need to schedule from you all as
10 to how we wish to proceed. If we want to have a
11 hearing, I assume we will have a hearing, and what
12 kind of hearing that will be, if it will have to be
13 prefiled testimony, if we just want to bring
14 somebody in and ask questions.

15 Anybody have any thoughts on that?
16 Mr. Poston, what were you expecting?

17 Mr. POSTON: Well, I was kind of
18 hopeful that MGE would at least respond to the
19 projects I identified in my pleading. If it comes
20 to testimony, I would like to have something filed
21 before the hearing so I would have an opportunity
22 to look at it. You know, something in addition to
23 live testimony.

24 JUDGE WOODRUFF: Okay.

25 MR. POSTON: Just so I have an

1 opportunity to look at it. And I haven't done the
2 math to know what kind of a timeline we're looking
3 at.

4 JUDGE WOODRUFF: Well, I can tell you
5 that. April 5th is the statutory deadline. That
6 would be the 60 days. We'd need to issue an order
7 with a 10-day effective date which means we'd have
8 to issue it on the agenda of March 26th. So, we
9 don't have a whole lot of time here. Okay. So,
10 keep -- with that in mind, I'll let you discuss
11 amongst yourselves how you want to proceed.

12 One other thing that came to my mind
13 when looking at this is what do we do with a second
14 tariff that was filed that has a March 7th
15 effective date, substitute tariff that MGE filed.

16 Mr. Conrad, is that you?

17 MR. CONRAD: It is. I'm sorry. I had
18 to hang up on one call here.

19 JUDGE WOODRUFF: Okay. Well, we had
20 just gotten started and we took entries of
21 appearance. If you want to go ahead and make
22 yours.

23 MR. CONRAD: Sure. Thanks, Judge.
24 Stuart Conrad, law firm of Finnegan, Conrad, and
25 Peterson, on behalf of Missouri Gas Users

1 Association.

2 JUDGE WOODRUFF: Okay. Thank you.

3 Before you came on the line, we were
4 discussing that I needed a procedural schedule from
5 the parties as to what sort of hearing you wanted
6 to have and when that can be. And I indicated that
7 we'd need to really issue an order -- Commission
8 will need to issue an order by March 26th or have a
9 10-day effective date before the 60 day runs -- 60
10 days run out on April 5th. And we had just started
11 to move into the discussion about what to do with
12 the tariff that was filed a few weeks ago by MGE
13 based on Staff's recommendations, which would have
14 an effective date of March 7th.

15 Mr. Jacobs or Mr. Zucker, what do you
16 want to do with that tariff?

17 MR. JACOBS: We don't have a problem
18 extending that tariff through the operational law
19 date.

20 JUDGE WOODRUFF: Okay. Well, if you
21 could do that for me as soon as possible, and then
22 we'll have that out of the way.

23 We still have the tariff that was
24 originally filed back in December, also, that's
25 never been withdrawn. So, that's still there,

1 also. But we can figure that out as long as we
2 don't have the operational law date of March 7th.

3 MR. POSTON: And that was suspended
4 until when, the original?

5 JUDGE WOODRUFF: The original was
6 never suspended. It had an April 5th effective
7 date. So, nothing was ever suspended.

8 MR. POSTON: Okay.

9 JUDGE WOODRUFF: Anything else anyone
10 wants to bring up when we're on the record?

11 MR. POSTON: Do you have any
12 preference how we'd proceed as to when we come up
13 with --

14 JUDGE WOODRUFF: What you're
15 suggesting sounds reasonable to me for some sort of
16 pre-filing in response to the questions that Public
17 Counsel raised. But how long before the hearing,
18 that's up to you guys to discuss that.

19 MR. POSTON: Okay. And we may be able
20 to narrow the issues before that, so we would, I
21 imagine, file something, maybe even an issuance of
22 narrow issues.

23 JUDGE WOODRUFF: I think that would be
24 most helpful.

25 MR. POSTON: Okay.

1 JUDGE WOODRUFF: Maybe you guys can
2 work it all out, and that would be wonderful, too.

3 MR. POSTON: Yes. That would be
4 preferred, yes.

5 MR. BORGMEYER: I was going to say, do
6 you have any comments or preferences or suggestions
7 about how long before the date of March 26th you
8 would like the hearing to be conducted, or how much
9 time between then would be reasonable for you? I
10 don't know if you have any suggestions on that.

11 JUDGE WOODRUFF: The best would be a
12 need for briefs and so forth, and we'll try to
13 squeeze that in there.

14 MR. JACOBS: I'm sorry. I'm having
15 trouble hearing you.

16 JUDGE WOODRUFF: I'm sorry. I'll come
17 closer to the table here. I'm up on the bench
18 here.

19 The question was about when we'd need
20 submission to the Commission. Basically, it's how
21 long it would take me to write the order.

22 MR. JACOBS: Right.

23 JUDGE WOODRUFF: I don't anticipate
24 this is going to be an extensive order, depending
25 on what you come up with, but I would need to have

1 it ready for the Commission, have to submit it on
2 the Friday before the agenda. So, if you can give
3 me at least a week, so we'd be talking about, like,
4 the 15th.

5 MR. BORGMEYER: You need to submit
6 that the Friday before March 26th?

7 JUDGE WOODRUFF: Correct.

8 MR. BORGMEYER: Okay.

9 JUDGE WOODRUFF: Anything else?

10 MR. POSTON: I don't think so.

11 MR. JACOBS: None for the Company.

12 JUDGE WOODRUFF: That would conclude
13 the on-the-record portion of the proceeding, and
14 I'll leave you to your discussions.

15 (Whereupon, the record ended at 2:08
16 p.m.)

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<p style="text-align: center;">A</p> <p>able 8:19 addition 5:22 afternoon 4:3 agenda 6:8 10:2 ago 7:12 ahead 6:21 Akayla 3:17 4:14 anticipate 9:23 Anybody 5:15 apparently 5:4 appearance 4:6 6:21 APPEARANC... 3:1 appearing 4:11 4:17 Application 2:11 Approval 2:13 April 6:5 7:10 8:6 asked 4:25 5:6 Association 3:6 4:20 5:1 7:1 assume 5:11 Attorney 3:2,7,7</p> <hr/> <p style="text-align: center;">B</p> <p>back 7:24 based 7:13 Basically 9:20 behalf 4:9,11 6:25 bench 9:17 best 9:11 Borgmeyer 3:16 4:11,13 9:5 10:5,8 Boulevard 2:23 Box 3:12,18 briefs 9:12 bring 5:13 8:10 Broadway 3:3</p> <hr/> <p style="text-align: center;">C</p> <p>C 4:2 11:1,1 call 6:18</p>	<p>caption 11:9 Case 4:5 cause 11:8 CCR 2:22 11:18 Center 3:3 Certified 11:4 certify 11:6 Change 2:13 CHIEF 2:17 City 1:9 2:9,24 3:4,13,19 11:14 closer 9:17 Cole 11:3,15 come 8:12 9:16 9:25 comes 5:19 comments 9:6 Commission 1:2 2:2 3:17,21 4:13 7:7 9:20 10:1 Company 2:12 3:8,10 10:11 conclude 10:12 conducted 9:8 conference 1:7 1:18 2:7 4:4 5:7 Conrad 3:2,2 5:3 6:16,17,23,24 6:24 correct 10:7 11:11 Counsel 3:11,12 3:15,17 4:16,18 5:8 8:17 Counsel/Gas 3:16 County 11:3,15 Court 11:4</p> <hr/> <p style="text-align: center;">D</p> <p>D 3:11 4:2 date 6:7,15 7:9 7:14,19 8:2,7 9:7 day 7:9 days 6:6 7:10</p>	<p>deadline 6:5 December 7:24 decide 5:7 depending 9:24 Deputy 3:16 discuss 6:10 8:18 discussing 7:4 discussion 7:11 discussions 10:14 Division 2:12</p> <hr/> <p style="text-align: center;">E</p> <p>E 4:2,2 11:1,1 effective 6:7,15 7:9,14 8:6 ended 10:15 Energy 2:12 entitled 11:8 entries 4:6 6:20 expecting 5:16 extending 7:18 extensive 9:24</p> <hr/> <p style="text-align: center;">F</p> <p>F 11:1 February 1:8 2:8 figure 8:1 file 2:12 8:21 filed 5:20 6:14,15 7:12,24 fine 5:5 Finnegan 3:2 6:24 firm 6:24 11:5 First 4:7 foregoing 11:11 forth 9:12 11:8 Friday 10:2,6 full 11:11</p> <hr/> <p style="text-align: center;">G</p> <p>G 4:2 Gas 2:11,12 3:6,8 3:10 4:20 5:1 6:25 Gentry 2:22 11:4 11:18</p>	<p>give 10:2 Given 11:14 go 6:21 going 9:5,24 Good 4:3 gotten 6:20 GO-2014-0179 2:12 4:5 guys 8:18 9:1</p> <hr/> <p style="text-align: center;">H</p> <p>hang 6:18 hearing 4:1 5:9 5:11,11,12,21 7:5 8:17 9:8,15 helpful 8:24 hopeful 5:18</p> <hr/> <p style="text-align: center;">I</p> <p>identified 5:19 imagine 8:21 indicated 7:6 Infrastructure 2:13 issuance 8:21 issue 6:6,8 7:7,8 issues 8:20,22</p> <hr/> <p style="text-align: center;">J</p> <p>Jacobs 3:7 4:8,8 7:15,17 9:14,22 10:11 Jefferson 1:9 2:9 2:24 3:13,19 11:15 John 3:16 4:13 joined 5:4 joins 5:4 Jones 3:17 4:14 Judge 2:17 4:3 4:10,15,19,22 4:25 5:3,24 6:4 6:19,23 7:2,20 8:5,9,14,23 9:1 9:11,16,23 10:7 10:9,12</p> <hr/> <p style="text-align: center;">K</p>	<p>Kansas 3:4 keep 6:10 kind 5:12,17 6:2 know 5:22 6:2 9:10</p> <hr/> <p style="text-align: center;">L</p> <p>L 2:17 Laclede 2:12 3:8 3:10 law 2:17 3:2,7,7 6:24 7:18 8:2 leave 10:14 Legal 3:17 line 7:3 Litigation 2:22 11:5 live 5:23 long 8:1,17 9:7 9:21 look 5:22 6:1 looking 6:2,13 lot 6:9 Louis 3:9</p> <hr/> <p style="text-align: center;">M</p> <p>Madison 3:13,18 Marc 3:11 4:17 March 6:8,14 7:8 7:14 8:2 9:7 10:6 math 6:2 Matter 2:11 means 6:7 MGE 3:10 4:7,9 5:18 6:15 7:12 Midwest 2:22 4:20 5:1 11:5 mind 6:10,12 Missouri 1:1,9 2:1,9,11 3:6,17 3:20 4:12 6:25 11:2,15 MO 2:24 3:4,9,13 3:19 MORRIS 2:17 move 7:11</p>
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