

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION

3 TRANSCRIPT OF PROCEEDINGS

4 Prehearing Conference

5
6
7 September 14, 2009
8 Jefferson City, Missouri
9 Volume 7

10 In the Matter of Missouri Gas)
11 Energy and its Tariff Filing)
12 to Implement a General Rate)Case No. GR-2009-0355
13 Increase for Natural Gas)
14 Service)

15 RONALD D. PRIDGIN, Presiding
16 SENIOR REGULATORY LAW JUDGE

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

2 JUDGE PRIDGIN: Good morning. We're on the
3 record. This is the prehearing conference in Case No.
4 GR-2009-0355. It is the late prehearing conference being
5 held September 14th, 2009, at the Governor Office Building
6 in Jefferson City, Missouri. And the time is about 10:00
7 in the morning.

8 I am Ron Pridgen, the Regulatory Law Judge
9 assigned to preside over the prehearing conference. At
10 this time, I would like to get entries of appearance from
11 counsel, beginning with the company, please.

12 MR. COOPER: Yes, your Honor. James C.
13 Swearngen and Dean C. Cooper from Brydon, Swearngen &
14 England, PC, and Mr. Todd Jacobs of Missouri Gas Energy,
15 appearing on behalf of Missouri Gas Energy, Division of
16 Southern Union Company.

17 JUDGE PRIDGIN: All right. Mr. Cooper, thank
18 you. On behalf of the Staff of the Commission, please.

19 MS. SHEMWELL: Good morning, and thank you,
20 Judge. Lera Shemwell, Robert Berlin, Jamie Ott, Eric
21 Dearmont, Jennifer Hernandez, Sam Ritchie and Kevin
22 Thompson representing the Staff of the Commission.

23 JUDGE PRIDGIN: Ms. Shemwell, thank you. On
24 behalf of the Office of Public Counsel, please?

25 MR. POSTON: Thank you. Marc Poston appearing

1 on behalf of the Office of Public Counsel and the public.

2 JUDGE PRIDGIN: Mr. Poston, thank you. On
3 behalf of Central Missouri State University, please?

4 MR. FINNEGAN: On behalf of Central Missouri
5 State University, the University of Missouri, Kansas City,
6 Superior Bowen Asphalt Company, LLC, Jeremiah Finnegan,
7 Finnegan, Conrad & Peterson, 3100 Broadway, Suite 1209,
8 Kansas City, Missouri, 64111.

9 JUDGE PRIDGIN: Mr. Finnegan, thank you. On
10 behalf of the City of Kansas City, Missouri, please.

11 MR. COMLEY: Judge Pridgin, appearing on behalf
12 of the City of Kansas City, let the record reflect the
13 entry of Mark W. Comley, Newman, Comley & Ruth, PC. My
14 mailing address is 601 Monroe, Suite 301, Jefferson City,
15 Missouri.

16 JUDGE PRIDGIN: Mr. Comley, thank you. And
17 Constellation New Energy Gas Division, please?

18 MR. STEINMEIER: Thank you, your Honor. Please
19 let the record reflect the appearance of William D.
20 Steinmeier and Mary Ann Garr Young, William D.
21 Steinmeier, PC, Jefferson City, Missouri, appearing on
22 behalf of Constellation New Energy Gas Division.

23 JUDGE PRIDGIN: Mr. Steinmeier, thank you. On
24 behalf Midwest Gas Users Association, please.

25 MR. CONRAD: Thank you, Judge. On behalf of the

1 Midwest Gas Users Association, Stuart W. Conrad and David
2 L. Woodsmall, again with the law firm of Finnegan, Conrad
3 & Peterson, 3100 Broadway, Suite 1209, Kansas City,
4 Missouri, 64111.

5 JUDGE PRIDGIN: Mr. Conrad, thank you. On
6 behalf of the Missouri Department of Natural Resources,
7 please.

8 MS. WOODS: Shelly Ann Woods and Sarah
9 Mangelsdorf, Assistant Attorneys General, Post Office Box
10 899, Jefferson City, Missouri, 63102, appearing on behalf
11 of the Missouri Department of Natural Resources.

12 JUDGE PRIDGIN: Ms. Woods, thank you. On behalf
13 of One Oak Energy Marketing Company, please? No entry for
14 One Oak Energy Marketing Company. Have I missed anyone?

15 All right. I really don't have much for you on
16 the record. This is your time to start what's hopefully
17 getting your hearing schedule figured out and hopefully
18 negotiating some.

19 Normally, this would be held in 310, but the
20 Commission has a hearing this afternoon in Room 310, so
21 we're in 305 today. 310 should be available to you the
22 rest of the week, though. If you need it and have a tough
23 time getting into it, it's reserved for you. Just let me
24 know, and I can be sure it's unlocked and given to you.

25 I also think MGE filed a motion Friday. And

1 just so I don't get it wrong, Mr. Cooper, could you just
2 briefly describe what you filed?

3 MR. COOPER: We filed -- I have to think back
4 just a second.

5 JUDGE PRIDGIN: I believe it was Friday. Was it
6 a true-up request?

7 MR. COOPER: We -- we filed a pleading just
8 asking the Commission to issue its order formally
9 acknowledging or setting the true-up period.

10 It's our belief that -- that the only party that
11 -- that commented on that in testimony was -- was the
12 Staff. They were supportive of the company's original
13 proposal. And, thus, we would like the Commission to go
14 ahead and issue the order establishing that.

15 JUDGE PRIDGIN: And because it was filed just a
16 few days ago, I don't want to impose any deadline on the
17 parties. I didn't know -- if the parties are agreeable to
18 MGE's request, I can issue an order.

19 But if the parties need more time to review the
20 motion, I certainly won't put you on the spot.
21 Mr. Conrad?

22 MR. CONRAD: Judge, we don't -- for Midwest, we
23 have no objection to the motion. I would like for it to
24 be clear and in going through Mr. Cooper's motion, he
25 makes reference to Staff's earlier response. And I wasn't

1 able momentarily to find that.

2 It has, as I understand it, been the custom that
3 a true-up would be limited to specific issues, which he
4 lists in his motion, but would be further limited to the
5 -- the -- the -- actually, what is the truing up of the
6 numbers rather than relitigation of some principle.

7 And that was not clear in Mr. Cooper's motion.
8 It may have been clear in the precursory filing from the
9 Staff. I would simply suggest that that be noted in the
10 -- in any order that you would issue, that it's -- it's
11 somewhat tightly limited to that.

12 JUDGE PRIDGIN: I understand. And I think
13 that's all that I have for the parties. Is there anything
14 else the parties have for me before we go off the record?

15 All right. Hearing nothing, you should have
16 access to this room all day and then access to Room 310
17 the rest of the week. If there's nothing else, thank you
18 very much. We are off the record.

19 MS. SHEMEWLL: Thank you, your Honor.

20 MR. STEINMEIER: Thank you, your Honor.

21 MR. CONRAD: Thank you.

22 (The proceedings were concluded at 10:07 a.m.
23 on September 14, 2009.)

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