

1 STATE OF MISSOURI  
2 PUBLIC SERVICE COMMISSION  
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6 TRANSCRIPT OF PROCEEDINGS  
7 Prehearing Conference  
8 February 11, 2003  
9 Jefferson City, Missouri  
10 Volume 2  
11  
12 In the Matter of the Application of )  
13 Southern Union Company d/b/a )  
14 Missouri Gas Energy for Authority to )  
15 Acquire Directly or Indirectly Up to )  
16 and Including One Hundred Percent ) Case No. GM-2003-0238  
17 (100%) of the Equity Interests of )  
18 Panhandle Eastern Pipeline Company, )  
19 Including its Subsidiaries, and to )  
20 Take All Other Actions Reasonably )  
21 Necessary to Effectuate Said )  
22 Transaction. )  
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MORRIS L. WOODRUFF, Presiding,  
SENIOR REGULATORY LAW JUDGE.

REPORTED BY:  
KELLENE K. FEDDERSEN, CSR, RPR, CCR  
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1 P R O C E E D I N G S

2 JUDGE WOODRUFF: We're on the record.

3 This is the second prehearing conference in  
4 Case No. GM-2003-0238, which concerns Southern Union  
5 Company's application for authority to purchase Panhandle  
6 Eastern Pipeline Company.

7 And we'll begin today by taking entries of  
8 appearance, beginning with Southern Union.

9 MR. SWEARENGEN: James C. Swearengen and Rob  
10 Hack on behalf of Southern Union Company.

11 JUDGE WOODRUFF: And for Staff?

12 MR. FRANSON: Robert Franson, Tim Schwarz and  
13 Bob Berlin on behalf of Staff of the Public Service  
14 Commission.

15 JUDGE WOODRUFF: Public Counsel?

16 MR. MICHEEL: Douglas E. Micheel appearing on  
17 behalf of the Office of the Public Counsel and the Public.

18 JUDGE WOODRUFF: Okay. And for the Municipal  
19 Gas Corporation of Missouri? Anyone here for them?

20 Okay. And for the Enbridge Pipelines?

21 MR. KEEVIL: For Enbridge Pipelines (KPC),  
22 Jeffrey A. Keevil, law firm of Stewart & Keevil, LLC,  
23 1001 Cherry Street, Suite 302, Columbia, Missouri 65201.

24 JUDGE WOODRUFF: Thank you. And for the  
25 Attorney General?

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1                   MR. MOLTENI: Ronald Molteni, Assistant  
2 Attorney General, P.O. Box 899, Jefferson City, Missouri  
3 65102, State of Missouri.

4                   JUDGE WOODRUFF: And for AmerenUE? Anyone  
5 here for Ameren?

6                   And for Laclede?

7                   MR. FISCHER: Your Honor, today let the record  
8 reflect the appearance of James M. Fischer, 101 Madison  
9 Street, Suite 400, Jefferson City, appearing on behalf of  
10 intervenor Laclede Gas Company. And I also this morning  
11 filed a Motion to Intervene on behalf of Kansas City Power &  
12 Light Company.

13                  JUDGE WOODRUFF: Okay. And for PACE Local  
14 5-348?

15                  MR. SCHWARTZ: Your Honor, Charles Schwartz,  
16 753 State Avenue, Suite 475, Kansas City, Kansas 66101.

17                  JUDGE WOODRUFF: Thank you.

18                  And for the Midwest Gas Users Association,  
19 Mr. Conrad called me about an hour ago and indicated that he  
20 was down with the flu. I think he'd spoken with Mr. Micheel  
21 as well.

22                  MR. MICHEEL: He did indeed.

23                  JUDGE WOODRUFF: And I excused him from  
24 appearing today. So I'd appreciate if you'd keep him  
25 informed about whatever happens. I'm sure you will.

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1 Any other parties that I've missed? I don't  
2 see anybody jumping up back there.

3 In case you aren't all aware, PACE Local  
4 5-348's Application to Intervene was granted this morning,  
5 an Order issued about 11 o'clock. So they're in the case.

6 As Mr. Fischer indicated, KCPL has filed an  
7 Application to Intervene Out of Time. That was just filed  
8 this morning, so I don't expect anybody to have an  
9 opportunity to make a comment on that yet. I will give  
10 everybody an opportunity to respond to that if they wish to,  
11 and may issue an Order short in time to do that depending on  
12 what you tell me.

13 Mr. Micheel, do you have something?

14 MR. MICHEEL: Your Honor, we don't object to  
15 that, and rather than doing the paper, I'd just tell you  
16 right now on the record that we have no objection to KCP&L  
17 intervening.

18 MR. SWEARENGEN: Southern Union has no  
19 objection to that invention either, your Honor.

20 JUDGE WOODRUFF: Okay. Does anyone have any  
21 objection to it?

22 MR. FRANSON: Staff has no objection, your  
23 Honor.

24 JUDGE WOODRUFF: Hearing no objection, then it  
25 will be granted. I'll do an Order, written Order granting

1 it.

2 MR. FISCHER: Thank you, your Honor.

3 JUDGE WOODRUFF: Thank you.

4 Any other matters that anyone wants to bring

5 up while we're on the record?

6 MR. BYRNE: Your Honor, could I enter my

7 appearance?

8 JUDGE WOODRUFF: I'm sorry. Yes, please do.

9 MR. BYRNE: Thomas M. Byrne representing Union

10 Electric Company. My address is 1901 Chouteau Avenue,

11 C-h-o-u-t-e-a-u, St. Louis, Missouri 63103.

12 JUDGE WOODRUFF: All right. Well, you're all

13 back here again to try and discuss things a little bit

14 further and ultimately give me a proposed procedural

15 schedule if you can't work everything out today. What I'm

16 looking for is a blueprint on how you want the Commission to

17 proceed to resolve this.

18 So I'll leave you up to your discussions, and

19 I'll be upstairs if you need me for anything.

20 MR. FRANSON: Judge, could we ask your phone

21 number in case --

22 JUDGE WOODRUFF: Yeah. 751-2849. And the

23 calendar, of course, is up there if you need hearing dates.

24 Anything else while we're on the record? All

25 right. With that, then we're concluded for

1 today's-on-the-record portion, and we're off the record.

2                   WHEREUPON, the recorded portion of the  
3 prehearing conference was concluded.

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