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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS
Prehearing Conference
April 8, 2004
Jefferson City, Missouri
Volume 1

In the Matter of the Verified)
Application and Petition of)
Laclede Gas Company for) Case No. GO-2004-0443
Establishment of an Infrastructure)
System Replacement Surcharge.)

LEWIS MILLS, Presiding,
DEPUTY CHIEF REGULATORY LAW JUDGE.

REPORTED BY:
KELLENE K. FEDDERSEN, CSR, RPR, CCR
MIDWEST LITIGATION SERVICES

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20 FOR: Missouri Energy Group.

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4 FOR: Staff of the Missouri Public
Service Commission.

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

2 JUDGE MILLS: We're on the record this
3 morning for a prehearing conference in Case No.
4 GO-2004-0443, which is styled in the matter of the
5 verified application and petition of Laclede Gas Company
6 for establishment of an infrastructure system replacement
7 surcharge.

8 Let's begin by taking entries of
9 appearance, beginning on my left with the Staff.

10 MS. SHEMWELL: Lera Shemwell representing
11 the Staff of the Missouri Public Service Commission, Post
12 Office Box 360, Jefferson City, Missouri 65102.

13 MR. PENDERGAST: Michael C. Pendergast,
14 W.R. England, III and Rick Zucker appearing on behalf of
15 Laclede Gas Company. My business address is 720 Olive
16 Street, St. Louis, Missouri 63101.

17 MR. COFFMAN: Appearing on behalf of the
18 Office of the Public Counsel, John B. Coffman and
19 Douglas E. Micheel, P.O. Box 2230, Jefferson City,
20 Missouri 65102. Mr. Micheel will be the lead attorney.

21 MS. VUYLSTEKE: For the Missouri Industrial
22 Energy Consumers, Diana Vuylsteke of the firm Bryan Cave,
23 LLP, 211 North Broadway, Suite 3600, St. Louis, Missouri
24 63102.

25 MS. LANGENECKERT: Appearing on behalf of

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1 Missouri Energy Group, Lisa Langeneckert, the Stolar
2 Partnership, LLP, 911 Washington Avenue, St. Louis,
3 Missouri 63101.

4 JUDGE MILLS: Thank you. One of the things
5 we discussed briefly before we went on the record this
6 morning was the proposed notice that Laclede filed, and as
7 I mentioned to the parties off the record, and then I'll
8 reiterate here on the record, to date there hasn't been
9 any party that filed anything either supporting or
10 opposing or commenting on that proposed notice.

11 And later today I will issue a short order
12 setting a deadline for that because, as you all know, this
13 case is on a fairly tight time frame. So if we can get
14 that out of the way, we'll do so. Since it's been on file
15 for a week or so, I'll just give the parties a few days to
16 file responses to that if anybody wishes to.

17 If this case is going to go to hearing, how
18 many days do we think we're going to need and when are the
19 parties looking at? There's a schedule due a week from
20 today by the Order that set this prehearing conference. I
21 believe the tariffs are only suspended until June 29th.
22 We're well into April here.

23 I think, if this is going to go to hearing,
24 we'll probably need to have a hearing by the end of May or
25 at the very latest the first week of June, and if we do

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1 that, we probably won't have a chance to have Briefs.
2 We'll have to do closing arguments, maybe one round of
3 Briefs quickly in order to get an Order out in time to
4 beat the operation of law date. I see nods around the
5 room.

6 I understand that the MGE case that was a
7 substantially similar filing was settled, and perhaps this
8 case will go that way. But you-all need to plan for the
9 worst case scenario, which is having to go to a full-blown
10 hearing and get that resolved in time to beat the
11 operation of law date.

12 MR. PENDERGAST: Your Honor, my
13 anticipation would be that if it does need to go to
14 hearing, that it would probably only take one day, but it
15 would be my expectation -- or probably just to make sure
16 we don't disappoint anybody else's expectations, it might
17 be appropriate to reserve two. And I was just wondering
18 what is available. Do you know what the Commission has
19 open?

20 JUDGE MILLS: I don't have a calendar here
21 with me this morning. You can consult with me or you can
22 come look at the tentative ALJ calendar on the ninth
23 floor, look at the official ALJ calendar on the -- I
24 suppose it's on the Internet. At least in the next month
25 there are very few days available. I think if you get

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1 towards the end of May, there may be more.

2 MS. SHEMWELL: Staff would agree with the
3 estimation of one to two days. Probably one.

4 JUDGE MILLS: Well, let's go for two if we
5 can. Hearings for the last few months have tended to run
6 longer than most people anticipated. Let's not cram it up
7 against the operation of law date and scramble to find a
8 place to hold a hearing some night.

9 Anything else? Okay. Well, if you-all
10 need me during the course of the day, you know where to
11 find me. I'll be available, and either call me or come up
12 and see me if you need to. If there's nothing further,
13 we're off the record.

14 WHEREUPON, the recorded portion of the
15 prehearing conference was concluded.

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