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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS  
Settlement Conference  
January 23, 2006  
Jefferson City, Missouri  
Volume 2

In the Matter of the Joint )  
Application of Aquila, Inc., d/b/a )  
Aquila Networks - MPS and Aquila )  
Networks - L&P ("Aquila"), The )  
Empire District Gas Company ("EDG") )  
and The Empire District Electric )  
Company ("EDE") for an Order ) Case No. GO-2006-0205  
Authorizing the Sale, Transfer and )  
Assignment of Certain Assets and )  
Liabilities from Aquila to EDG and )  
in Connection Therewith Certain )  
Other Related Transactions )

KENNARD L. JONES, Presiding,  
REGULATORY LAW JUDGE.

REPORTED BY:

KELLENE K. FEDDERSEN, CSR, RPR, CCR  
MIDWEST LITIGATION SERVICES

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APPEARANCES:

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DEAN L. COOPER, Attorney at Law  
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FOR: Aquila, Inc.

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Stewart & Keevil  
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4603 John Garry Drive, Suite 11  
Columbia, MO 65203  
(573) 499-0635

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FOR: The Empire District Electric Company.  
The Empire District Gas Company.

11

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JAMES M. FISCHER, Attorney at Law  
Fischer & Dority  
101 Madison, Suite 400  
Jefferson City, MO 65101  
(573) 636-6758

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FOR: Cornerstone Energy.

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STUART CONRAD, Attorney at Law  
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1209 Penntower Officer Center  
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FOR: Pittsburgh Corning.

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LEWIS R. MILLS, JR., Public Counsel  
P.O. Box 2230  
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Jefferson City, MO 65102-2230  
(573) 751-4857

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FOR: Office of the Public Counsel  
and the Public.

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1 ROBERT S. BERLIN, Associate General Counsel  
P.O. Box 360  
2 200 Madison Street  
Jefferson City, MO 65102  
3 (573) 751-3234

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 JONES: This is a settlement  
3 conference for Case No. GO-2006-0205, in the matter of the  
4 joint application of Aquila, Inc., doing business as  
5 Aquila Networks - MPS and Aquila Networks - L&P, The  
6 Empire District Gas Company and the Empire District  
7 Electric Company for an order authorizing the sale,  
8 transfer and assignment of certain assets and liabilities  
9 from Aquila to EDG and in connection therewith certain  
10 other related transactions.

11 My name is Kennard Jones. I'm the  
12 presiding judge over this matter. At this time we'll take  
13 entries of appearance, beginning first with Aquila.

14 MR. COOPER: Dean L. Cooper with the law  
15 firm of Brydon, Swearingen & England, P.C., P.O. Box 456,  
16 Jefferson City, Missouri 65102, appearing on behalf of  
17 Aquila, Inc.

18 JUDGE JONES: And on behalf of Empire  
19 District?

20 MR. KEEVIL: Yes, Judge Jones. Jeffrey A.  
21 Keevil of the law firm Stewart & Keevil, LLC,  
22 4603 John Garry Drive, Suite 11, Columbia, Missouri 65203.

23 JUDGE JONES: Thank you. For the Staff of  
24 the Commission?

25 MR. BERLIN: Robert S. Berlin, Post Office

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1 Box 360, Jefferson City, Missouri 65102, appearing on  
2 behalf of the Staff of the Missouri Public Service  
3 Commission.

4 JUDGE JONES: From the Office of Public  
5 Counsel?

6 MR. MILLS: Lewis Mills on behalf of the  
7 Office of the Public Counsel and the public. My address  
8 is Post Office Box 2230, Jefferson City, Missouri 65102.

9 JUDGE JONES: Thank you. For Cornerstone  
10 Energy?

11 MR. FISCHER: James M. Fischer, Fischer &  
12 Dority, PC, 101 Madison, Suite 400, Jefferson City,  
13 Missouri 65101, appearing on behalf of Cornerstone Energy,  
14 Inc.

15 JUDGE JONES: Thank you. Pittsburgh  
16 Corning Corporation?

17 MR. CONRAD: Judge, on behalf of Pittsburgh  
18 Corning, Stewart Conrad, Finnegan, Conrad & Peterson,  
19 3100 Broadway, Suite 1209, Kansas City, Missouri 64111.

20 JUDGE JONES: Thank you, Mr. Conrad. For  
21 Crane Plumbing? Is anyone here for Crane Plumbing?

22 (No response.)

23 JUDGE JONES: I also notice that Sedalia  
24 Industrial Users Association is on the service list.  
25 They're not a party, though?

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1 MR. CONRAD: I'm sorry?

2 JUDGE JONES: Sedalia Industrial Users  
3 Association?

4 MR. CONRAD: No, and I'm not sure, Judge,  
5 how that -- I noticed that actually, I think, on Friday.  
6 I'm not sure how that occurred. They did not -- they did  
7 not petition for intervention.

8 JUDGE JONES: Is there anything you-all  
9 need me to clear up before you proceed to settle this  
10 matter? And I understand that you-all will be moving to a  
11 different room; is that correct? Someone called me. Who  
12 was that that called me earlier? Can you state your name?

13 MR. RACKERS: Steve Rackers.

14 JUDGE JONES: And, Mr. Rackers, you had  
15 suggested that you-all would be moving to Room --

16 MR. RACKERS: 210.

17 JUDGE JONES: -- 210. Will you-all be  
18 continuing in that room tomorrow?

19 MR. RACKERS: Yes.

20 JUDGE JONES: That's everyone's  
21 understanding; is that right? It's fine with me, whether  
22 you understood it to be the case or not.

23 MR. CONRAD: It's just that 210 is such a  
24 delightful place, so bright and sunny.

25 JUDGE JONES: Is it not conducive to

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1 settlement?

2 MR. MILLS: No. It is.

3 MR. CONRAD: It's fine.

4 MR. MILLS: It's got a nice big circular  
5 table and it works fine.

6 MR. CONRAD: We've settled literally  
7 thousands of issues there.

8 JUDGE JONES: I'll leave you-all to retire  
9 to Room 210. Thank you all for showing up today. We can  
10 go off the record.

11 WHEREUPON, the recorded portion of the  
12 settlement conference was concluded.

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