

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Final Discovery Conference

September 26, 2011

Jefferson City, Missouri

Volume 6

In the Matter of:

Veolia Energy Kansas City,) File No. HR-2011-0241
Inc., for the Authority to) Tariff Nos. YH-2011-0532
File Tariffs to Increase) and YH-2011-0533
Rates)

DANIEL JORDAN, Presiding
SENIOR REGULATORY LAW JUDGE

REPORTED BY:

Shelley L. Mayer, CCR

TIGER COURT REPORTING, LLC

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16 FOR: The Staff of the Missouri Public Service
Commission

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1 JUDGE JORDAN: We'll go on the record.

2 The Commission calls File HR-2011-0241. This is in
3 the matter of Veolia Energy Kansas City Incorporated
4 for authority to file tariffs to increase rates.

5 My name is Daniel Jordan; I'm the senior
6 regulatory law judge assigned to this action. We're
7 here for a discovery conference.

8 I will begin by taking entries of
9 appearance. We'll start with the applicant. We have
10 one on the phone and one here in person.

11 MR. DOWNEY: Diana, you want to go
12 first?

13 MS. VUYLSTEKE: Sure. Diana Vuylsteke of
14 the law firm Bryan Cave, 211 North Broadway, Suite
15 3600, St. Louis, Missouri 63102.

16 MR. DOWNEY: And Edward Downey, also with
17 Bryan Cave, 221 Bolivar Street, Suite 101, Jefferson
18 City, Missouri 65101.

19 JUDGE JORDAN: Now, does the applicant
20 have any representatives of the client with them
21 today?

22 MR. DOWNEY: We do. Daniel Dennis, vice
23 president and general manager of Veolia Energy Kansas
24 City and Steven C. Carver, consultant with UtiliTech,
25 Inc.

1 JUDGE JORDAN: Okay. Thank you.

2 And for Staff?

3 MS. KLIETHERMES: Sarah Kliethermes for
4 the Staff of the Public Service Commission. I
5 believe our address has been previously recorded.

6 JUDGE JORDAN: All right. And do you
7 have a representative with you?

8 MS. KLIETHERMES: I believe Brett Prenger
9 is on the phone. Is there anyone else on the phone
10 for Staff?

11 MR. PRENGER: No, that's it.

12 JUDGE JORDAN: And for Intervenors?

13 MR. FISCHER: James M. Fischer, Fischer &
14 Dority, 101 Madison, Suite 400, Jefferson City,
15 Missouri, appearing on behalf of the intervenor,
16 Kansas City Power & Light Company.

17 MR. COOPER: Dean Cooper from the law firm
18 of Brydon, Swearngen & England, P.C., P.O. Box 456,
19 Jefferson City, Missouri 65102, appearing on behalf
20 Southern Union company doing business as Missouri Gas
21 Energy.

22 JUDGE JORDAN: And it looks like the
23 intervenors don't have any representatives of their
24 clients with them. Okay. Very good.

25 This is our final scheduled discovery

1 conference. As far as I know there are no discovery
2 matters outstanding. I have no discovery motions
3 pending before me filed and awaiting ruling.

4 Does anyone know of anything else or know
5 otherwise?

6 MS. KLIETHERMES: Judge, just for clarity
7 I believe that there was a discovery dispute that was
8 resolved by -- between Staff and the Company by Staff
9 imputing a number or something to do with rate case
10 expense. Shouldn't -- shouldn't be an issue. I
11 think we've reached resolution on it.

12 JUDGE JORDAN: Okay.

13 MS. KLIETHERMES: Just to make the
14 Commission aware.

15 JUDGE JORDAN: I appreciate that.
16 Anything else to say to that, on that matter?
17 Anything from the applicant?

18 MR. DOWNEY: No.

19 MR. DENNIS: I thought that was all
20 resolved.

21 MS. KLIETHERMES: No, I believe it is
22 resolved.

23 MR. DENNIS: Okay.

24 MS. KLIETHERMES: I just wanted to make
25 that clear, that there -- there had been and it was

1 resolved by implementation so the Commission would be
2 aware how that worked out.

3 JUDGE JORDAN: Okay. Good. Does anyone
4 else have any discovery matters that they wish to
5 raise during this, the final scheduled discovery
6 conference? Staff has nothing?

7 MS. KLIETHERMES: No.

8 JUDGE JORDAN: App has nothing?
9 Applicant has nothing?

10 MR. DENNIS: To the best of my knowledge
11 all discovery issues have been resolved.

12 JUDGE JORDAN: Okay. That's good to
13 hear. Anything from the Intervenors?

14 MR. FISCHER: I would concur. We have
15 revolved our issues with the Company.

16 JUDGE JORDAN: Anything from MGE?

17 MR. COOPER: No, your Honor.

18 JUDGE JORDAN: All right then. That is
19 the scope and the subject matter that I had for the
20 parties this morning. And we do have the room all
21 day, as far as I know, if the parties want to discuss
22 other matters.

23 I will go off the record and adjourn this
24 meeting unless there is anything else that anyone
25 wants to raise with me. Is there anything else? No

1 other matters?

2 Then we'll adjourn this conference and go

3 off the record. Thank you.

4 (Off the record.)

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1 CERTIFICATE

2 I, Shelley L. Mayer, a Certified Court
3 Reporter, CCR No. 679, the officer before whom the
4 foregoing hearing was taken, do hereby certify that
5 the witness whose testimony appears in the foregoing
6 hearing was duly sworn by me; that the testimony of
7 said witness was taken by me to the best of my
8 ability and thereafter reduced to typewriting under
9 my direction; that I am neither counsel for, related
10 to, nor employed by any of the parties to the action
11 in which this hearing was taken, and further, that I
12 am not a relative or employee of any attorney or
13 counsel employed by the parties thereto, nor
14 financially or otherwise interested in the outcome
15 of the action.

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