

0001

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

PREHEARING CONFERENCE

August 16, 2004  
Jefferson City, Missouri  
Volume 1

In the Matter of the Joint                     )  
Application of Trigen-Kansas City    )  
Energy Corp. and Thermal North       )  
America, Inc. for the Authority       )  
Necessity for the Transfer of         )  
Control, and Sale of All Stock        ) Case No. HM-2004-0618  
Currently Owned by Trigen Energy     )  
Corporation, Inc. to Thermal          )  
North America, Inc.                    )

MORRIS L. WOODRUFF, Presiding,  
SENIOR REGULATORY LAW JUDGE.

REPORTED BY:  
STEPHANIE L. KURTZ MORGAN, RPR, CCR  
MIDWEST LITIGATION SERVICES

0002

1

APPEARANCES:

2

PAUL DeFORD, Attorney at Law  
Lathrop & Gage  
2345 Grand Boulevard  
Kansas City, Missouri 64108  
(816) 292-2000

5

FOR: Trigen-Kansas City Energy Corp. and Thermal  
North America, Inc.

6

7

RUTH O'NEILL, Assistant Public Counsel  
200 Madison Street, Suite 650  
P. O. Box 2230  
Jefferson City, Missouri 65102-2230  
(573) 751-4857

8

9

10

FOR: Office of the Public Counsel and the Public.

11

NATHAN WILLIAMS, Associate General Counsel  
200 Madison Street  
P. O. Box 360  
Jefferson City, Missouri 65102  
(573) 751-3234

12

13

14

FOR: Staff of the Missouri Public Service  
Commission.

15

16

17

18

19

20

21

22

23

24

25

0003

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

2 JUDGE WOODRUFF: Good morning, everyone. This is  
3 the prehearing conference in Case No. HM-2004-0618. And we'll  
4 begin today by taking entries of appearance, beginning with  
5 Trigen.

6 MR. DeFORD: Thank you, Your Honor.

7 Paul S. DeFord -- excuse me -- with the law firm of  
8 Lathrop & Gage, appearing on behalf of Trigen Energy  
9 Corporation and Thermal North America, Incorporated.

10 My address is 2345 Grand Boulevard, Kansas City,  
11 Missouri 64108.

12 JUDGE WOODRUFF: Thank you.

13 And for Staff?

14 MR. WILLIAMS: Nathan Williams, Senior Counsel,  
15 P. O. Box 360, Jefferson City, 65102.

16 JUDGE WOODRUFF: And for Public Counsel?

17 MS. O'NEILL: Yes. Ruth O'Neill from the Office of  
18 the Public Counsel, P. O. Box 2230, Jefferson City, Missouri  
19 65102.

20 JUDGE WOODRUFF: Thank you very much.

21 I believe that'd be all the parties. We called  
22 this prehearing conference to give the parties a chance to --  
23 well, really it was at the request of Staff to bring all the  
24 parties in to have a chance to discuss this case, and to get  
25 some idea of how you want to proceed.

0004

1           And as I'm thinking about it, it may be wise,  
2 depending upon what you think your position is gonna be on  
3 this, that if we go ahead and schedule a -- establish a  
4 procedural schedule so that we'd have a hearing date in case  
5 it's needed. But I'll leave that to you through your  
6 discussions.

7           What I'd like to have you do is give the -- give me  
8 a progress report and possibly a procedural schedule by a week  
9 from today -- that would be the 23rd -- so that I and the  
10 Commission have some idea of what you want to be -- what we  
11 need to be doing in this case.

12           While we're on the record, is there anything that  
13 anyone wants to bring up or that I need to consider?

14           MR. DeFORD: Nothing, Your Honor.

15           JUDGE WOODRUFF: All right.

16           MR. WILLIAMS: Not from Staff's perspective.

17           MS. O'NEILL: I -- I don't have anything to bring  
18 up, Your Honor.

19           JUDGE WOODRUFF: All right. Well, thank you.

20           With that then, I'll leave you to your -- to your  
21 discussions, and the on-the-record portion of this prehearing  
22 has ended.

23           Thank you.

24           MR. DeFORD: Thank you.

25           WHEREUPON, the on-the record portion of the

0005

1 prehearing conference was concluded.

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25