

Volume II

PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Prehearing Conference

July 2, 2018

Jefferson City, Missouri

Volume 2

The Director of the )  
Manufactured Homes and )  
Modular Units Program of )  
the Missouri Public Service )  
Commission, )  
Complainant, ) File No. MC-2018-0236  
vs. )  
Michael Goodwin, )  
Respondent. )

JOHN T. CLARK, Presiding  
REGULATORY LAW JUDGE

REPORTED BY:

Angie D. Threlkeld, CCR  
TIGER COURT REPORTING, LLC

A P P E A R A N C E S

MARK JOHNSON, Senior Counsel  
ALEXANDRA KLAUS, Counsel  
Governor Office Building  
200 Madison Street  
Suite 800  
PO Box 360  
Jefferson City, Missouri 65102  
573.751.7431

FOR: Staff of the Missouri Public Service Commission

ANDREW WESTERFELD (by phone)  
1242 Jungermann Road  
Suite A  
St. Peters, Missouri 63376  
636.447.4456

FOR: Michael Goodwin

1 JUDGE CLARK: Good morning. Today's date is  
2 July 2nd, 2018. The current time is 10:01 a.m. We're in  
3 Room 305 of the Governor Office Building. Commission has  
4 set aside this time for a prehearing conference in the  
5 case captioned as The Director of Manufactured Homes and  
6 Modular Units Program of the Missouri Public Service  
7 Commission, Complainant, versus Michael Goodwin,  
8 Respondent. File Number MC-2018-0236.

9 My name is John Clark. I'm the regulatory  
10 law judge in this matter.

11 We'll begin by having the attorneys enter  
12 their appearance for the record, starting with you,  
13 Mr. Westerfeld.

14 MR. WESTERFELD: Good morning. This is  
15 Andrew Westerfeld appearing on behalf of Respondent,  
16 Michael Goodwin.

17 JUDGE CLARK: From the Commission staff.

18 MS. KLAUS: Alexandra Klaus.

19 MR. JOHNSON: Mark Johnson.

20 JUDGE CLARK: Okay. I'll note for the record  
21 we also have here the director of manufactured homes,  
22 Justin Smith.

23 I haven't missed anyone that I see.

24 So this is one of those cases that was handed  
25 off to me when another judge retired, so I've taken it

1 over. I don't know what's transpired between the  
2 parties. I'm not sure why a preliminary hearing -- or  
3 not preliminary hearing -- a prehearing conference was  
4 scheduled at this time.

5 Are there any preliminary matters that need  
6 to be taken up at this time?

7 Mr. Westerfeld?

8 MR. WESTERFELD: No, Your Honor.

9 JUDGE CLARK: Staff?

10 MS. KLAUS: No, Judge.

11 JUDGE CLARK: Okay. Then I guess the  
12 question is where are we? My tendency on these is always  
13 to try and set a procedural schedule, unless there's a  
14 reason not to.

15 So I guess my question is is there a reason  
16 not to go ahead and set a procedural schedule?

17 MS. KLAUS: Well, Judge, we, I believe, are  
18 close to hopefully having a settlement offer in place and  
19 would like a little bit more time to work towards that.  
20 Otherwise -- and I haven't checked in with the procedural  
21 schedule. But even if this case does move forward, I  
22 believe that we could hit the timing of that, in terms of  
23 filing testimony and being prepared.

24 JUDGE CLARK: Has there been one filed? I  
25 didn't remember seeing one.

1 MR. WILLIAMS: I believe there was one  
2 sent --

3 JUDGE CLARK: Oh, there is.

4 MR. WILLIAMS: -- on the same order that set  
5 this, the original prehearing conference.

6 JUDGE CLARK: There was one set. Thank you.  
7 And I had forgotten about that.

8 MS. KLAUS: And so as we work towards  
9 settlement, we might ask that that order be suspended --

10 JUDGE CLARK: Mr. Westerfeld?

11 MR. WESTERFELD: Yes, Your Honor.

12 JUDGE CLARK: Okay. I thought we had lost  
13 you for a second.

14 MR. WESTERFELD: No. Still here.

15 MS. KLAUS: As we work towards settlement, we  
16 might ask that this order be suspended and amended as  
17 necessary, if necessary.

18 JUDGE CLARK: And, Mr. Westerfeld, is that --  
19 is that correct? Are you guys moving towards an  
20 agreement, you think?

21 MR. WESTERFELD: I agree, Your Honor. I  
22 think we're very close to having this resolved.

23 JUDGE CLARK: Okay. Well, it doesn't look --  
24 it doesn't look like direct testimony is due until  
25 July 27th. So it looks like there's a fair amount of

1 time. If it -- why don't we do this: If it looks  
2 like -- I'm not opposed, as long as the parties are  
3 working to try and resolve the issue. I don't want to  
4 step on anybody's feet in regard to that.

5 So at least through the -- I'll probably be  
6 pretty forgiving time wise, at least through mid August.  
7 So when it comes time for direct testimony to be filed,  
8 if you haven't quite got what you wanted to hammered out,  
9 but you still think you're headed in that direction, at  
10 that time why don't you file a motion to suspend the  
11 procedural schedule. That makes a little more sense to  
12 me, to file it before something's actually due. And it  
13 kind of gives me a good idea of -- that gives me a chance  
14 to check in and see how long we're talking about.

15 Any objections to that?

16 MR. WESTERFELD: None for me, Your Honor.

17 JUDGE CLARK: Okay. While I'm here, are  
18 there any other issues or matters that need to be  
19 addressed by the Commission at this time?

20 MS. KLAUS: Not from staff, Judge.

21 JUDGE CLARK: Okay. Hearing none, I'll  
22 adjourn this prehearing conference. We'll go off the  
23 record now. I'm going to let you guys know that the  
24 phone bridge is available till 11:30, if you want to  
25 continue talking. And I will step out of the room.

1 MR. WILLIAMS: Thank you, Judge.

2 MS. KLAUS: Thank you.

3 MR. WESTERFELD: Thank you.

4 (Off the record.)

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CERTIFICATE OF REPORTER

I, Angie D. Threlkeld, a Certified Court Reporter,  
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in the outcome of the action.



Angie D. Threlkeld, CCR



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