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STATE OF MISSOURI

PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Prehearing Conference

September 20, 1999

Jefferson City, Missouri

Volume 1

In the Matter of the Application)
of Union Electric Company, d/b/a)
AmerenUE, for Approval of the) Case No. EA-2000-37

1 Transfer of Generating Assets by)
2 an Affiliate to Another Affiliate.)
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6 KEVIN THOMPSON, Presiding,
7 DEPUTY CHIEF REGULATORY LAW JUDGE.
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10 REPORTED BY:

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12 KELLENE K. FEDDERSEN, CSR, RPR
13 ASSOCIATED COURT REPORTERS, INC.
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1 APPEARANCES:

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3 WILLIAM NIEHOFF, Attorney at Law
4 JAMES J. COOK, Attorney at Law
5 1901 Chouteau Avenue
6 St. Louis, Missouri 63103

7 FOR: Union Electric Company.

8 JOHN B. COFFMAN, Deputy Public Counsel
9 P.O. Box 7800
10 Jefferson City, Missouri 65102-7800

11 FOR: Office of the Public Counsel
12 and the Public.

13 STEVEN DOTTHEIM, Chief Deputy General Counsel
14 DENNY L. FREY, Assistant General Counsel
15 P.O. Box 360
16 Jefferson City, Missouri 65102

17 FOR: Staff of the Missouri Public
18 Service Commission.

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

2 JUDGE THOMPSON: We're here in the Matter of
3 the Application of Union Electric Company, doing
4 business as AmerenUE, for Approval of the Transfer of
5 Generating Assets by an Affiliate to Another
6 Affiliate, Case No. EA-2000-37.

7 My name is Kevin Thompson. I'm the
8 Regulatory Law Judge assigned to this case. May we
9 have oral entries of appearance, please.

10 MR. NIEHOFF: Beginning with the Company,
11 William Niehoff, N-i-e-h-o-f-f, and James J. Cook for
12 AmerenUE. Address is 1901 Chouteau Avenue, St. Louis,
13 Missouri 63103.

14 JUDGE THOMPSON: Thank you. Staff?

15 MR. FREY: Representing the staff, Steve
16 Dottheim and Dennis L. Frey. Our address is P.O.
17 Box 360, Jefferson City, Missouri 65102.

18 JUDGE THOMPSON: Thank you. Public Counsel?

19 MR. COFFMAN: Appearing on behalf of the
20 Office of the Public Counsel, and the Public, John B.
21 Coffman, P.O. Box 7800, Jefferson City, Missouri
22 65102.

23 JUDGE THOMPSON: Thank you.

24 This application was filed on July 21st of
25 this year, and in that application Ameren requested

1 expedited treatment and indicated that they wanted
2 approval, if such in fact would be forthcoming, in 90
3 days; isn't that correct?

4 MR. NIEHOFF: That's correct.

5 JUDGE THOMPSON: So that would be October
6 what?

7 MR. NIEHOFF: 21.

8 JUDGE THOMPSON: October 21. The Commission
9 issued an Order requesting Staff to advise the
10 Commission of the earliest date when Staff believed it
11 would be able to provide a recommendation, and Staff
12 instead suggested that the Commission set an early
13 prehearing conference.

14 Mr. Dottheim, today, or Mr. Frey, are you
15 ready to tell us when Staff will be able to have a
16 recommendation ready?

17 MR. FREY: We are not at this time, your
18 Honor.

19 JUDGE THOMPSON: Okay. In that case, I
20 believe that the only alternative is for a procedural
21 schedule to be proposed and adopted by the Commission.
22 And if a full contested case hearing procedure is
23 going to be followed, then it's extremely unlikely
24 that the case would be resolved by the October 21st
25 date.

1 I think in the Order setting this prehearing
2 conference we asked for a proposed procedural schedule
3 by a week from today; isn't that correct?

4 MR. FREY: That's correct, your Honor.

5 JUDGE THOMPSON: Okay. Our practice is to
6 allow the parties to confer at the prehearing
7 conference, and hopefully you will confer on
8 procedural dates. It is in your power to set them
9 wherever you want so you can move this case along as
10 quickly as you would like, and you will also have
11 every opportunity to confer on whatever issues are
12 still dividing the parties. If the matter can be
13 resolved so that a hearing is not necessary, then the
14 case could still be resolved by October 21st.

15 Okay. Are there any matters that the
16 parties wish to bring to the attention of the
17 Commission at this time? Mr. Dottheim or Mr. Frey?

18 MR. DOTTHEIM: Judge, if you'd just give us
19 a minute.

20 JUDGE THOMPSON: Absolutely.

21 MR. FREY: Your Honor, just --

22 JUDGE THOMPSON: Mr. Frey?

23 MR. FREY: Thank you. Just to confirm that,
24 although we are here for the purpose of establishing a
25 procedural schedule, we are involved in continuing

1 negotiations on this matter, and there is a good
2 likelihood that we will be able to settle this matter
3 and, therefore, bring it to a conclusion prior to the
4 October deadline.

5 JUDGE THOMPSON: Very good. Our general
6 practice is to go off the record, to end the recorded
7 portion of the prehearing conference very quickly, and
8 to leave the parties with this room for the remainder
9 of the day so that you can conduct whatever
10 negotiations and discussions you might find helpful,
11 and that is the procedure we will follow today.

12 I would simply urge you in your negotiations
13 to be mindful of the length of lead time that will be
14 necessary if the case is settled in which to write an
15 Order disposing of the case and to bring that to the
16 attention of the full Commission at the agenda and to
17 have it voted out.

18 So you will need to leave at least a week, I
19 think, prior to that date, and better would be ten
20 days or two weeks, okay, in order for an Order to be
21 drafted, a draft to be approved and a final vote to be
22 taken.

23 Okay. Thank you very much for your presence
24 here today. We'll go off the record. That concludes
25 the prehearing conference.

1 WHEREUPON, the recorded portion of the
2 prehearing conference was concluded.
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