

In the Matter of the Application of Grain Belt Express, L.L.C. for an Amendment

Hearing before:

Judge Nancy Dippell

January 20, 2023

Vol 2

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BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Discovery Conference

Friday, January 20, 2023
9:03 a.m. - 9:46 a.m.

WebEx

VOLUME 2
Pages 19 - 45

In the Matter of the Application)
of Grain Belt Express LLC for an)
Amendment to its Certificate of)
Convenience and Necessity) File No.
Authorizing it to Construct, Own,) EA-2023-0017
Operate, Control, Manage, and)
Maintain a High Voltage, Direct)
Current Transmission Line and)
Associated Converter Station)

NANCY DIPPELL, Presiding
DEPUTY CHIEF REGULATORY LAW JUDGE

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1 The following proceedings began at 9:03 a.m.

2 JUDGE DIPPELL: We can go ahead and go on the
3 record. This is File No. EA-2023-0017, In the Matter of
4 the Application of Grain Belt Express LLC for an
5 Amendment to its Certificate of Convenience and
6 Necessity Authorizing it to Construct, Own, Operate,
7 Control, Manage, and Maintain a High Voltage, Direct
8 Current Transmission Line and Associated Converter
9 Station.

10 My name is Nancy Dippell. I'm the Regulatory
11 Law Judge assigned to this matter. And we are here this
12 morning on January 20, 2023, for a Discovery Conference.
13 We've had a motion requesting answers to data requests
14 and objections to those data requests and we're here
15 this morning to discuss that. So we're going to start
16 with entries of appearance. And I would like to begin
17 with Staff.

18 MR. THOMPSON: Kevin Thompson for the Staff of
19 the Missouri Public Service Commission, Post Office Box
20 360, Jefferson City, Missouri 65102.

21 JUDGE DIPPELL: And I will -- I'm sorry.
22 Let's see. I'm getting feedback. Mr. Thompson -- no,
23 somebody muted. Okay.

24 And I was about to say we are on WebEx
25 videoconference. So if you would try to keep your

1 connection muted unless you have to speak that will cut
2 down on interference. And if you would please identify
3 yourself when speaking, that will help our court
4 reporter to get everything down correctly.

5 So next entry of appearance. Is anyone
6 present for the Office of Public Counsel? I'm not
7 hearing anybody this morning. I'm just going in the
8 list that these printed off and I think it was mostly
9 alphabetical order. So pardon if it seems a little
10 scattered. Associated Industries? Clean Grid Alliance?

11 MR. BRADY: Good morning. This is Sean Brady
12 with Clean Grid Alliance. My address is PO Box 4072,
13 Wheaton, Illinois 60189.

14 JUDGE DIPPELL: And David and Patricia Stemme?
15 Is anyone here? I don't know if I'm pronouncing their
16 last name correctly.

17 Dustin Hudson?

18 MR. AGATHEN: Yes, Your Honor. This is Paul
19 Agathen.

20 JUDGE DIPPELL: Mr. Agathen --

21 MR. AGATHEN: My address is 485 --

22 JUDGE DIPPELL: Pardon me for interrupting
23 you. -- if you'd like to go ahead and give all of the
24 parties that you're representing, that's appropriate.
25 Thank you.

1 MR. AGATHEN: Thank you. Good idea. Again,
2 my address is 485 Oak Field Court in Washington,
3 Missouri 63090; and in addition to Mr. Dustin Hudson, I
4 am also representing here the Missouri Landowners
5 Alliance, the Eastern Missouri Landowners Alliance d/b/a
6 Show Me Concerned Landowners, Norman Fishel,
7 F-i-s-h-e-l, Gary and Carol Riedel, R-i-e-d-e-l, and
8 again Mr. Hudson.

9 JUDGE DIPPELL: Thank you, Mr. Agathen. Grain
10 Belt Express?

11 MR. SCHULTE: This is Andrew Schulte with the
12 Polsinelli Law Firm on behalf of Grain Belt Express.
13 Also participating today are Anne Callenbach by phone
14 and Sean Pluta, all with Polsinelli Law Firm. And if
15 you need the address, it is 900 West 48th Place, Suite
16 900, Kansas City, Missouri 64112.

17 JUDGE DIPPELL: And the Missouri Cattlemen's
18 Association? And I will note that only the parties
19 involved in the discovery dispute were required to be
20 here today. So the fact that these others are not here
21 is not troublesome. Missouri Electric Commission?

22 MS. WHIPPLE: Good morning, Judge. Peggy
23 Whipple and Alex Riley from the Healy Law Offices, 3010
24 East Battlefield, Suite A, Springfield, 65804.

25 JUDGE DIPPELL: Thank you. Missouri Farm

1 Bureau? And the Missouri Pork Association or Missouri
2 Soybean Association all represented by the same counsel?
3 Renew Missouri?

4 MS. GREENWALD: Good morning. This is Alissa
5 Greenwald on behalf of Renew Missouri. My address is
6 P.O. Box 413071. That's Kansas City, Missouri 64141.

7 JUDGE DIPPELL: And Sierra Club?

8 MS. SEMANISIN: Good morning. This is
9 Madeline Semanisin with Great Rivers Environmental Law
10 Center on behalf of the Sierra Club. Our address is 319
11 North 4th Street, St. Louis, Missouri, Suite 800 with
12 the zip being 63102. Thank you.

13 JUDGE DIPPELL: Thank you. And Union Electric
14 Company? Mr. and Mrs. Hollander? All right. I believe
15 that's everyone. Was there anyone that I missed? I'm
16 not seeing anyone speak up or hearing anyone speak up.

17 All right. I appreciate you all being here
18 this morning. So I've reviewed your motion and the
19 response. Let me just ask if there is any other --
20 Mr. Agathen, did you have anything you wish to add?
21 We're really just going to discuss these things, see if
22 we can work out any solutions, and I'm not going to make
23 any rulings today on this. But I would hope to quickly
24 make a written ruling after this.

25 Mr. Agathen, did you have anything you wanted

1 to add before we just discuss in general?

2 MR. AGATHEN: Judge, this is Paul Agathen. I
3 do have two points which relate to all of the data
4 requests at issue here, and I could start with those if
5 you wish.

6 JUDGE DIPPELL: Go ahead.

7 MR. AGATHEN: Okay. Thank you. First, three
8 days ago, I believe it was, Grain Belt filed an
9 eight-page response to our motion for discovery
10 conference and they state that this response was filed
11 by authority paragraph 3(m) of the scheduling order, the
12 Commission's scheduling order of December 21.

13 But paragraph 3(m) actually only authorizes
14 the filing of the initial motion for the discovery
15 conference. That paragraph makes no mention of any
16 reply to that motion. So I believe that by implication
17 at least, a reply to the motion for the discovery
18 conference was not authorized by the Commission's
19 scheduling order.

20 Grain Belt's position I believe on each of the
21 disputed data requests was or should have been set forth
22 in their original set of objections, and also as the
23 moving party here I think the MLA should be given the
24 last chance to address the issues. So unless there's a
25 Commission practice or precedent, this is the first of

1 these I've been engaged in, unless there's a Commission
2 practice or precedent that I'm not aware of, I'd move
3 Grain Belt's eight-page response be stricken. That's my
4 first point, Your Honor.

5 JUDGE DIPPELL: Well, on that point the
6 Commission does have a rule separate from the order that
7 was issued on responses to motions, and in general there
8 is the right to or the ability to file a response to any
9 motion set out in our rules. So I'm going to deny the
10 request to strike. As for your request to have another
11 response, I'm certainly willing to allow you that if you
12 wish.

13 MR. AGATHEN: Okay. I'll be covering some of
14 that here today responding to their response. So I may
15 or may not feel the need to file something else.

16 JUDGE DIPPELL: Okay. We can address that
17 after we've had our discussions and you can let me know
18 if you still want time to file an additional written
19 response.

20 MR. AGATHEN: Thank you, Judge.

21 MR. SCHULTE: For the --

22 JUDGE DIPPELL: Yes, go ahead, Mr. Schulte.

23 MR. SCHULTE: For the record, if I may, just
24 to clarify. The reference to paragraph 3(m) in the
25 procedural order was in error. The authority was

1 actually in paragraph 3(n) which states not less than
2 three business days before the date set by the
3 Commission for a discovery conference, any party that
4 has a discovery disagreement or concern involving
5 another party shall file a brief statement describing
6 that disagreement or concern. So that was the paragraph
7 we were relying upon, in addition to the general
8 authority to file responses to pleadings. Thank you.

9 JUDGE DIPPELL: All right. Thank you,
10 Mr. Schulte. Mr. Agathen, go ahead with what your next
11 point was.

12 MR. AGATHEN: Thank you, Judge. This is Paul
13 Agathen. The protective order issued by the Commission
14 on October 20, which I believe you could say it was
15 drafted by Grain Belt, already establishes I believe the
16 procedure for handling much of the material that we're
17 talking about here today. Specifically for data request
18 for Grain Belt's objection was based on ground such as
19 confidentiality of the information and without any
20 objections as to relevance.

21 The protective order established the
22 appropriate, I believe the appropriate procedure here.
23 Grain Belt simply should have answered the disputed data
24 requests and mark those answers as highly confidential.
25 We made that same point in our motion for discovery

1 conference, but in its response Grain Belt simply
2 ignored this problem. That's all I have on the second
3 point.

4 JUDGE DIPPELL: Okay. Mr. Schulte, did you
5 have a response to that, because I had a similar
6 question.

7 MR. SCHULTE: Yeah, certainly. So I think we
8 need to separate Data Request SS-6 from the rest of the
9 data requests. For Data Request SS-6, it's requesting
10 copies of signed documents, and for that we don't have a
11 relevancy objection and we understand that there is a
12 highly confidential protective order in place that would
13 apply to whatever -- to the extent that we provide
14 information regarding those MOUs. Those MOUs are
15 subject to nondisclosure agreements with third parties,
16 and notice has to be provided to those third parties in
17 advance of providing them. And Grain Belt is only
18 authorized to provide information about those MOUs upon
19 a legal requirement to do so. And so that is the issue
20 with Data Request SS-6.

21 There is also a balancing analysis that the
22 Commission is required to undertake which would balance
23 the harm that could be incurred upon the parties at
24 issue versus the probative value of the information.
25 And as stated in our written response, the probative

1 value can be satisfied through a description of the MOUs
2 as opposed to copies of the MOUs themselves. That would
3 avoid harm to counterparties that have sensitivities to
4 their identities being revealed and their plans for
5 energy and capacity acquisition. Those are very
6 sensitive for some of the counterparties. And that
7 would be our proposal to strike the appropriate balance
8 between those two competing interests.

9 As for the remainder of the data requests, we
10 do not believe that those are even contemplated as
11 possibly being subject to discovery, and the reason
12 being is that highly confidential is defined as a
13 category of information classified as proprietary
14 financial information of Grain Belt Express and
15 Invenergy and sensitive contractual information relating
16 to Grain Belt Express and Invenergy. What everything
17 other than SS-6 is requesting is the actual back and
18 forth negotiation offer, counteroffer, discussions,
19 debate, negotiation between two private parties
20 negotiating on a contract. That is not contractual
21 information.

22 Contractual information only occurs when a
23 contract is signed. It is also not financial
24 information, because it is the back and forth
25 negotiation between two private parties. That is not

1 financial information. There is no financial
2 information unless an agreement is actually stricken.

3 It would be extraordinary and as far as I know
4 unprecedented for parties to be subject to discovery on
5 such back and forth negotiations. There is, of course,
6 back and forth negotiation that occurs among utilities
7 and vendors, among utilities and power suppliers all the
8 time in Missouri. And those would arguably be relevant
9 to the rate cases and the certificate proceedings before
10 the Commission. And if the negotiations themselves were
11 subject to discovery, then it would be an end to the
12 free market negotiation process as we know it. So those
13 are entirely outside of the scope of this proceeding and
14 the protective order in this case as opposed to SS-6
15 which is more focused on actual agreements.

16 JUDGE DIPPELL: And so --

17 MR. THOMPSON: Judge, pardon me, this is
18 Staff.

19 JUDGE DIPPELL: Yes.

20 MR. THOMPSON: I just -- Staff is also
21 interested in obtaining copies of those MOUs. I would
22 simply point out that Grain Belt put them in issue by
23 pointing to them as proving the necessity of the project
24 and therefore I don't think they have any right to
25 withhold them. The only discussion is what degree of

1 protection they need to preserve confidentiality. Thank
2 you.

3 JUDGE DIPPELL: Thank you, Mr. Thompson. Is
4 there anyone else that wanted to weigh in on that?

5 MR. AGATHEN: This is Paul Agathen. I believe
6 what Staff Counsel just said about the MOUs applies
7 equally as well to the other -- to the next three data
8 requests which are in response to Grain Belt's testimony
9 saying that the negotiations or the potential sales to
10 Ameren and TVA, and there was one other entity, that
11 those tended to show the demand for their product in
12 Missouri, and so I think following Staff's analysis the
13 same would apply to --

14 THE STENOGRAPHER: I'm sorry. He just cut out
15 there.

16 JUDGE DIPPELL: Mr. Agathen, could you repeat
17 which data requests you believed that applied to?

18 MR. AGATHEN: Yes. In addition to the MOUs,
19 it would apply as well to SS-6, 7 and 8. Those also
20 respond to Grain Belt testimony which is saying in
21 effect that the potential sales to these three parties
22 mentioning those data requests is evidence of the demand
23 for their product.

24 JUDGE DIPPELL: All right.

25 MR. SCHULTE: I would like to correct the

1 record on something I said earlier.

2 JUDGE DIPPELL: Okay.

3 MR. SCHULTE: I referred to the data request
4 seeking the MOUs as SS-6. It is actually SS-5. And
5 then SS-6, 7 and 8 are the data requests just raised by
6 Mr. Agathen seeking copies of all documents transmitted
7 to Grain Belt from and then depending on which data
8 request you're looking at it would identify those
9 counterparties or potential counterparties as Ameren,
10 TVA and Evergy.

11 While I have the floor, sorry, if I may.

12 JUDGE DIPPELL: Go ahead.

13 MR. SCHULTE: Staff's data request has been
14 limited to the signed MOUs themselves. They have not
15 sought any information about negotiations.

16 MR. THOMPSON: Staff doesn't care about your
17 negotiations, but we do want to see the signed MOUs.

18 JUDGE DIPPELL: All right. Thank you,
19 Mr. Thompson. Mr. Schulte, what you were saying earlier
20 then you mentioned that you would need a legal
21 requirement to reveal those. If the Commission orders
22 you to reveal those agreements, do you believe that that
23 complies with your nondisclosure clause?

24 MR. SCHULTE: Yes. Our obligation to comply
25 with the legal order prevails over -- or triggers that

1 ability to provide the information provided that the,
2 you know, highest level of confidentiality available
3 applies and provided that the disclosure is only to the
4 extent necessary for the proceeding. And so that's
5 where we get into the request to provide a description
6 of the MOUs or potentially redacted versions of the
7 MOUs.

8 JUDGE DIPPELL: Okay. All right.
9 Mr. Agathen, did you have anything further that you
10 wanted to bring up?

11 MR. AGATHEN: One moment, Your Honor. Let me
12 check my notes. I had another argument proposing that
13 Grain Belt's response should be stricken for a different
14 reason. But in light of what you had said earlier, I'll
15 just skip that over. If you'll give me a moment, I'll
16 pass through all that.

17 JUDGE DIPPELL: That's fine.

18 MR. AGATHEN: I don't know if this is the
19 appropriate time to bring this up but Mr. Schulte talked
20 about providing some form of answer regarding MOUs. But
21 I think what he is saying doesn't cover any of the
22 information actually needed from the MOUs by the MLA as
23 we set forth at the top of page 3 of our motion in this
24 case. So unless they're willing to provide all of that,
25 then redacted or summaries just isn't going to be

1 helpful at all.

2 JUDGE DIPPELL: All right. Let me ask you one
3 question, Mr. Agathen. On your data requests that are
4 asking about other entities that they have negotiated
5 with or discussed with, how is it relevant what other
6 offers were if those were not the offers that were set
7 out in the MOUs?

8 MR. AGATHEN: I should have made this clear --
9 this is Paul Agathen. I should have made clearer, but
10 we likely will be challenging only two of the Tartan
11 Criteria. That would be the need for the project and
12 the financial viability of the project. And so any
13 information which tends to show that there's a demand
14 for the project or stands to show that there isn't a
15 demand for the project goes directly to one of the key
16 Tartan Criteria.

17 And the second Tartan Criteria that we're
18 looking at is the financial viability of the project,
19 and I think it's obvious that it's financially viable
20 only if the revenue stream that they bring in from the
21 customers buying capacity on the Grain Belt line covers
22 the cost of building the line. So anything dealing with
23 the cost -- not the cost but the price at which Grain
24 Belt will be able to sell capacity on the line is
25 directly relevant to that second Tartan Criteria.

1 So basically anything dealing with demand for
2 the line or a price that will be paid for the capacity
3 on the line is significant and extremely important in
4 addressing the two Tartan Criteria. I hope that answers
5 the question.

6 JUDGE DIPPELL: Yes, thank you. Mr. Schulte,
7 did you want to respond? Mr. Schulte, you're muted, I
8 believe.

9 MR. SCHULTE: Sorry. I was double muted.
10 Thank you. The information regarding the back and forth
11 of negotiation, and we made these arguments in our
12 written response, but the probative value is negligible
13 because people have all kinds of reasons for entering
14 into negotiations and taking positions in negotiations
15 that, you know, may or may not reflect their ultimate
16 intention.

17 The only probative information would be signed
18 documents that reflect a commitment to an intention that
19 is reduced to paper and can be reviewed by others. The
20 back and forth negotiations is not probative. And not
21 only is the probative value negligible but on the other
22 side of the balancing test you have the tremendous harm
23 that would come to the public interest and the parties
24 at issue. The parties at issue obviously, their
25 negotiation tactics would be revealed for all to see.

1 For the public interest, it would have a chilling effect
2 on all arm's length negotiations going forward that will
3 ultimately be discovered by parties through a regulatory
4 proceeding.

5 And just to be clear, the highly confidential
6 protections for that information is still not
7 significant, because any ability of third parties
8 outside of those negotiations to see that information
9 even under highly confidential seal would be harmful and
10 that harm outweighs the negligible probative value of
11 that information.

12 MR. THOMPSON: In that case, Staff would move
13 to strike any references to the MOUs as being evidence
14 of the need of the project.

15 MR. SCHULTE: I was talking only about the
16 back and forth negotiations, not the signed MOUs.

17 MR. THOMPSON: Okay. Thank you for that
18 clarification.

19 JUDGE DIPPELL: And Mr. Thompson, what level
20 of -- What's the highest or most generous maybe level of
21 protection that you think would be sufficient for those
22 MOUs with regard to Staff's purposes?

23 MR. THOMPSON: Judge, in rate cases we
24 regularly have need to examine board of director minutes
25 of the utility and we generally do that in the offices

1 of the utility's attorney or else we go to the corporate
2 offices where we review those. So that seems to be the
3 highest level of protection. Generally on those
4 occasions we're not allowed to make copies, we're not
5 allowed to take notes, and certainly I would -- Staff
6 would consent to that level of protection if that's what
7 they feel is necessary to make them feel comfortable
8 about this. But again, I think due process requires
9 that we be given an opportunity to examine those
10 documents. Thank you.

11 JUDGE DIPPELL: Do you think that any level of
12 if they provided the MOUs with redactions, do you think
13 that that would be sufficient or would that hinder
14 Staff's review?

15 MR. THOMPSON: I think we would need to see
16 unredacted MOUs in order to ascertain that they provide
17 proof of necessity that is purported that they do.

18 JUDGE DIPPELL: Okay. And Mr. Schulte, if the
19 Commission, I don't know, maybe appointed a special
20 master or something like that to review the documents
21 and determine perhaps what might or might not be
22 redacted, do you think something like that might satisfy
23 your concerns?

24 MR. SCHULTE: Yes, we would be, and we have,
25 you know, it's a little bit -- there may be differences

1 between the -- There's multiple MOUs that offer multiple
2 counterparties. And so the sensitivities may be
3 slightly different between those parties. But it would
4 help to have some kind of in camera review to determine
5 what can appropriately be redacted while still
6 satisfying the needs of the other parties to see the
7 remaining information.

8 JUDGE DIPPELL: Okay. I'm really kind of
9 brainstorming here thinking of what might -- I want to
10 find out what might satisfy everyone short of, you know,
11 complete withholding or complete providing. I don't
12 think I have any other questions.

13 Mr. Agathen, did you have anything you wanted
14 to add before we adjourn today?

15 MR. AGATHEN: Yes, Your Honor. Thank you.
16 First as to Data Requests SS-6, 7 and 8, which asks for
17 the documents showing the back and forth negotiations
18 between Grain Belt and three individual customers, Mr.
19 Schulte argued that the ultimate intentions from those
20 negotiations can't be, I guess, assumed to mean
21 anything. I would argue that you don't know that until
22 you've seen what those documents are. I mean, there
23 could be some definite proposals in there or there could
24 not be.

25 And as to his argument that disclosure of

1 those three documents would cause harm to the
2 counterparty, I would just point out, and I don't want
3 to speak for Union Electric and Ameren, but I would just
4 point out that they have not objected to turning that
5 information over despite the fact that Mr. Schulte
6 argues it would cause them harm. I think the best
7 determiner of that would be Ameren.

8 And then finally if we're going to do some
9 redactions with MOUs, I'm afraid that all of the
10 information that we really need, which is listed in the
11 first paragraph of page 3 of our motion, is the very
12 type of information that they're going to try and
13 redact. So unless the information that's listed there
14 at page 3 is included without redaction, we would
15 certainly object to any form of redaction being a
16 compromise here. I certainly would reject the notion
17 that we would have to go down to their law offices and
18 just look at the documents without getting copies. It's
19 impossible to do any kind of effective cross-examination
20 without having copies of the documents. So if we're
21 going to do anything, we need to take into consideration
22 that it's the actual copies of the documents that we're
23 going to need. That's all I have, Your Honor.

24 JUDGE DIPPELL: Thank you. And Mr. Schulte,
25 do you have anything else to add before we adjourn?

1 MR. SCHULTE: Yes, thank you. Without
2 speaking for Ameren, they have not had an opportunity to
3 weigh in on this discovery dispute because the DRs were
4 issued to Grain Belt and so Grain Belt objected. I
5 don't know for certain what Ameren's position is with
6 regard to SS-6 which requests the negotiations between
7 Grain Belt and Ameren.

8 MR. AGATHEN: This is Paul Agathen. They were
9 certainly served with copies of SS-6 when they were
10 initially submitted and then they were also served with
11 the notice of the discovery conference. So Ameren ought
12 to be well aware of the fact that SS-6 is an issue here.

13 JUDGE DIPPELL: Go ahead, Mr. Schulte, if you
14 had anything further.

15 MR. SCHULTE: I don't have anything further.

16 JUDGE DIPPELL: Okay. Thank you. And Staff,
17 did you have anything further you wanted to add before
18 we adjourn?

19 MR. THOMPSON: No, thank you, Judge.
20 Appreciate your time this morning.

21 JUDGE DIPPELL: Did any of the other parties
22 have anything that they would like to add?

23 MR. AGATHEN: This is Paul Agathen. Just to
24 thank you for your time, Your Honor.

25 JUDGE DIPPELL: You're welcome. All right. I

1 don't see anything else.

2 Mr. Agathen, did you feel that you needed to
3 file a further written response?

4 MR. AGATHEN: I don't think so, Your Honor.
5 Let me review my notes. If I do, I will contact you
6 today sometime. If you don't hear from me, there won't
7 be anything further coming from us, if that's
8 acceptable.

9 JUDGE DIPPELL: I would suggest that if you
10 feel that you do want to file a written response that
11 you do so by filing a notice in the case file and that
12 will let everyone know, and I will hold off making a
13 specific ruling.

14 MR. AGATHEN: How many days would you expect
15 me to submit something after filing the notice today if
16 one is filed?

17 JUDGE DIPPELL: Well, given that this is
18 information that you're trying to get to make your case,
19 I'll let you ask for an amount of time if you so need
20 it.

21 MR. AGATHEN: Thank you, Your Honor.

22 JUDGE DIPPELL: Otherwise, the Commission
23 could rule on this at any time. It would likely not be
24 me ruling on it specifically but would be before the
25 whole Commission. A ruling would likely come out at a

1 regularly scheduled agenda. But if I don't hear
2 anything from you, if you don't file a request to file
3 anything further, or anyone could for that matter if
4 anybody feels that they need to provide more written
5 information. Otherwise, the ruling could come out, you
6 know, as early as next week.

7 MR. AGATHEN: Okay, Your Honor. If I don't
8 file a notice today, then it's fair to assume that we
9 will not be filing anything.

10 JUDGE DIPPELL: All right. Thank you. Did
11 anyone else have any questions or anything they needed
12 to add?

13 All right. Seeing nothing, we can adjourn.
14 We can go off the record. Thank you all for being here.

15 (Thereupon, the conference concluded at 9:46
16 a.m.)

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CERTIFICATE OF REPORTER

STATE OF MISSOURI)
COUNTY OF COLE)

I, Beverly Jean Bentch, RPR, CCR No. 640, do hereby certify that I was authorized to and did stenographically report the foregoing Public Service Commission Discovery Conference and that the transcript, pages 19 through 44, is a true record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or counsel connected with the action, nor am I financially interested in the action.

Dated this 3rd day of February, 2023.

Beverly Jean Bentch

Beverly Jean Bentch, RPR, CCR No. 640

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