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1 APPEARANCES:

2 MARK P. JOHNSON, Attorney at Law

LISA A. GILBREATH, Attorney at Law

3 SNR Denton

4520 Main Street, Suite 1100

4 Kansas City, MO 64111-7700

(816)460-2424

5 mark.johnson@snrdenton.com

6 ROBERT FELGAR, General Counsel

Cintex Wireless

7 11910 Parklawn Drive, Suite U

Rockville, MD 20852

8 (301)363-4306

rfelgar@cintexwireless.com

9

FOR: Cintex Wireless.

10

CULLY DALE, Senior Counsel

11 MEGHAN McCLOWRY, Legal Counsel

TANYA ALM, Miscellaneous Professional

12 Missouri Public Service Commission

P.O. Box 360

13 200 Madison Street

Jefferson City, MO 65102

14 (573)751-3234

15 FOR: Staff of the Missouri Public
Service Commission.

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

2 (WHEREUPON, the prehearing conference began
3 at 10:01 a.m.)

4 JUDGE WOODRUFF: Good morning, everyone,
5 and welcome to the prehearing conference in Case No.
6 RC-2012-0421, Staff's complaint against Cintex Wireless.
7 We'll begin today by taking entries of appearance,
8 beginning with Staff.

9 MS. DALE: Colleen M. Dale, Tonya Alm and
10 Meghan McClowry representing the Staff of the Missouri
11 Public Service Commission, P.O. Box 360, Jefferson City,
12 Missouri 65102.

13 JUDGE WOODRUFF: Your memory test you pass
14 for today.

15 MS. DALE: Thank you.

16 JUDGE WOODRUFF: And for Cintex Wireless.

17 MR. JOHNSON: Appearing on behalf of Cintex
18 Wireless, Mark Johnson and Lisa Gilbreath with the law
19 firm SNR Denton. Our address is 4520 Main Street,
20 Suite 1100, Kansas City, Missouri. Also appearing on
21 behalf of the company is general counsel Robert Felgar.

22 JUDGE WOODRUFF: All right. And I believe
23 that's all the parties that are in the room today. Public
24 Counsel has previously indicated they're not going to be
25 taking an active role in this case.

1 I scheduled this as a prehearing conference
2 to get the parties together to discuss how they wish to
3 proceed in this case, and we wound up having an oral
4 argument tacked on top of this, which was canceled this
5 morning, which for reasons that we don't need to go into
6 at this point.

7 But basically what I want you to do is to
8 discuss a procedural schedule as -- we'll schedule as
9 needed, and you have a copy of the Commission's schedule.
10 I know that we'll be running into the rate case
11 proceedings being the last week of September and basically
12 run through the rest of October, beginning with Ameren and
13 the KCPL cases after that.

14 So I don't know if you'll be able to get it
15 done before the end of September. I know that would be
16 the Commissioners' preference from what I heard from them
17 this morning. They want to try to get it done promptly,
18 of course respecting everyone's procedural rights. We
19 want to have it done correctly rather than trying to force
20 it quickly.

21 Is there anything anyone wants to bring up
22 while we're on the record?

23 MS. DALE: I don't have anything, except to
24 thank you for your very prompt action on the Staff's
25 pleading this morning.

1 JUDGE WOODRUFF: We want to try and get
2 things going smoothly as much as possible. Unless you
3 want me here present during your negotiations and
4 discussions, I'm just going to go ahead and go off the
5 record and leave the room. I'll be upstairs if you have
6 any questions that you want to bring up to me.

7 MS. DALE: Thank you.

8 MR. JOHNSON: Judge, there's one point on
9 which we might need some guidance from you. This may be
10 more of a scheduling issue for you. One of the items that
11 we're going to want to discuss with Staff is getting
12 guidance from you as to the legal standards that will be
13 applied in resolving this on the merits.

14 So it's quite possible that we're going to
15 ask you to request that the parties brief certain issues
16 and then you would issue -- as a consequence, you would
17 issue an order giving us guidance, which would be quite
18 helpful in drafting prefiled testimony and then preparing
19 for the hearing.

20 JUDGE WOODRUFF: That sort of order would
21 not be coming from me by delegation. I would take that to
22 the Commission at agenda. So I'm certainly open to that
23 kind of suggestion as whatever pleadings you want to file
24 to bring that to the Commission's attention. We'll go
25 with that.

1 Okay. Anything else you want to bring up
2 to me? All right, then. With that, the on-the-record
3 portion of this proceeding is at an end and we are
4 adjourned for that, and I'll leave you to your
5 discussions. And if you would go ahead and get me a
6 recommended procedural schedule, if you can get it by the
7 end of the week, that would be great. Thank you.

8 (WHEREUPON, the recorded portion of the
9 prehearing conference concluded at 10:05 a.m.)

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C E R T I F I C A T E

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STATE OF MISSOURI)

) ss.

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COUNTY OF COLE)

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I, Kellene K. Feddersen, Certified

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Shorthand Reporter with the firm of Midwest Litigation

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Services, do hereby certify that I was personally present

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at the proceedings had in the above-entitled cause at the

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time and place set forth in the caption sheet thereof;

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that I then and there took down in Stenotype the

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proceedings had; and that the foregoing is a full, true

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and correct transcript of such Stenotype notes so made at

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such time and place.

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Given at my office in the City of

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Jefferson, County of Cole, State of Missouri.

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Kellene K. Feddersen, RPR, CSR, CCR

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A	able 4:14 above-entitled 7:8 action 4:24 active 3:25 address 3:19 adjourned 6:4 agenda 5:22 ahead 5:4 6:5 Alm 2:11 3:9 Ameren 4:12 appearance 3:7 APPEARAN... 2:1 appearing 3:17 3:20 applied 5:13 argument 4:4 attention 5:24 Attorney 2:2,2 August 1:8 a.m 3:3 6:9	certainly 5:22 Certified 7:5 certify 7:7 CHIEF 1:20 Cintex 1:15 2:6 2:9 3:6,16,17 City 1:9 2:4,13 3:11,20 7:14 Cole 7:4,15 Colleen 3:9 coming 5:21 Commission 1:2,12 2:12 2:15 3:11 5:22 Commissione... 4:16 Commission's 4:9 5:24 company 3:21 Complainant 1:13 complaint 3:6 concluded 6:9 conference 1:7 3:2,5 4:1 6:9 consequence 5:16 copy 4:9 correct 7:12 correctly 4:19 counsel 2:6,10 2:11 3:21,24 County 7:4,15 course 4:18 CSR 1:24 7:17 CULLY 2:10	5:11 discussions 5:4 6:5 drafting 5:18 Drive 2:7	E E 3:1,1 7:2,2 entries 3:7 everyone's 4:18	F F 7:2 Feddersen 1:24 7:5,17 Felgar 2:6 3:21 file 1:14 5:23 firm 3:19 7:6 force 4:19 foregoing 7:11 forth 7:9 full 7:11	G G 3:1 general 2:6 3:21 getting 5:11 Gilbreath 2:2 3:18 Given 7:14 giving 5:17 go 4:5 5:4,4,24 6:5 going 3:24 5:2 5:4,11,14 Good 3:4 great 6:7 guidance 5:9 5:12,17	H heard 4:16 hearing 5:19 helpful 5:18	I	indicated 3:24 issue 5:10,16 5:17 issues 5:15 items 5:10	J Jefferson 1:9 2:13 3:11 7:15 Johnson 2:2 3:17,18 5:8 Judge 1:20 3:4 3:13,16,22 5:1,8,20	K K 1:24 7:5,17 Kansas 2:4 3:20 KCPL 4:13 Kellene 1:24 7:5,17 kind 5:23 know 4:10,14 4:15	L L 1:20 law 1:20 2:2,2 3:18 leave 5:5 6:4 legal 2:11 5:12 Lisa 2:2 3:18 Litigation 1:24 7:6 LLC 1:15	M M 3:9 Madison 2:13 Main 2:3 3:19 Mark 2:2 3:18 mark.johnso... 2:5 McCLOWRY 2:11 3:10	MD 2:7 Meghan 2:11 3:10 memory 3:13 merits 5:13 Midwest 1:24 7:6 Miscellaneous 2:11 Missouri 1:1,9 1:12 2:12,15 3:10,12,20 7:3,15 MO 2:4,13 morning 3:4 4:5,17,25 MORRIS 1:20	N N 3:1 need 4:5 5:9 needed 4:9 negotiations 5:3 notes 7:12	O O 3:1 October 4:12 office 7:14 Okay 6:1 on-the-record 6:2 open 5:22 oral 4:3 order 5:17,20	P P 2:2 3:1 Parklawn 2:7 parties 3:23 4:2 5:15 pass 3:13 personally 7:7 place 7:9,13 pleading 4:25
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