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STATE OF MISSOURI

PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Prehearing Conference

January 3, 2013

Jefferson City, Missouri

Volume 1

(Starting time of conference: 10:20 a.m.)

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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS
Prehearing Conference
January 3, 2013
Jefferson City, Missouri
Volume 1

The Office Of The Public)
Counsel, An Agency Of The)
State Of Missouri,)
)
Complainant,)
)
vs.) File No. SC-2013-0332
)
West 16th Street Sewer)
Company, Inc., A Missouri)
Regulated Sewer Corporation,)
)
Respondent.)

MORRIS L. WOODRUFF, Presiding,
DEPUTY CHIEF REGULATORY LAW JUDGE

REPORTED BY:

PAMELA S. GENTRY, CCR
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Midwest Litigation Services
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Suite 207
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A P P E A R A N C E S
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1 (Starting time of hearing: 10:20 a.m.)

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

3 JUDGE WOODRUFF: This is File No. SC-2013-0332
4 which is Office of the Public Counsel's complaint against
5 West 16th Street Sewer Company, and we're here for a
6 prehearing conference. And I just wanted to give
7 everybody the opportunity to explain where we want to go
8 and discuss amongst yourselves as to what procedure we
9 need to follow and if you can give me a proposed
10 procedural schedule.

11 It's my understanding this is, essentially, a rate
12 complaint; is that correct?

13 MS. BAKER: An over-earnings complaint, yes.

14 JUDGE WOODRUFF: An over-earnings complaint. I
15 was curious when I was reading the case as to whether
16 Public Counsel wanted to proceed in this as a contested
17 rate case or if you wanted to force this -- or push this
18 into a small company rate procedure.

19 Do you know at this point or is that something you
20 want to discuss with the other parties?

21 MS. BAKER: We have discussed with the Company
22 some issues about what a small rate case would accomplish
23 for this.

24 JUDGE WOODRUFF: Okay.

25 MS. BAKER: So, we are in discussions for that.

1 And I think, at this point, it sort of depends on the
2 Company's thoughts on that.

3 MS. LEWIS: Staff has not been privy to any of
4 those discussions, Judge.

5 JUDGE WOODRUFF: It just occurs to me I never put
6 entry of appearance. We need to figure out who is here.
7 That's what happens when you come in 20 minutes late.

8 Let's start with Staff. Entry of appearance.

9 MS. THOMPSON: Goldie Thompson and Rachel Lewis
10 appearing for the Staff of the Missouri Public Commission,
11 P.O. Box 360, Jefferson City, Missouri, 65102.

12 JUDGE WOODRUFF: Okay. For Public Counsel.

13 MS. BAKER: Christina Baker, P.O. Box 2230,
14 Jefferson City, Missouri, 65102, appearing on the behalf
15 of the Office of the Public Counsel and the Ratepayers.

16 JUDGE WOODRUFF: Mr. Cooper.

17 MR. COOPER: Dean Cooper appearing on behalf of
18 West 16th Street Sewer Company, and the Court Reporter has
19 the address.

20 JUDGE WOODRUFF: Very good. I think that takes
21 care of my procedural questions then.

22 Well, it sounds like you've already had some
23 discussions, and I'll leave you to more discussions. Is
24 there anything that we need to deal with on the record
25 while we're here today?

1 MS. BAKER: I have some discovery things to talk
2 about, but I don't believe they need to be on the record.

3 JUDGE WOODRUFF: Okay.

4 MR. COOPER: You mentioned a procedural schedule.
5 Are you looking for that in a week, 10 days?

6 JUDGE WOODRUFF: That is our usual --

7 MR. COOPER: And, given the fact that the
8 Company's answer is not due until the 14th, I guess.

9 JUDGE WOODRUFF: Yeah. This is a little unusual
10 that it is in the form of a complaint. Why don't we wait
11 until after the answer and say procedural schedule due on
12 -- I don't have a calender. Is the 17th a weekday?

13 MR. COOPER: It's a Thursday.

14 JUDGE WOODRUFF: All right. Let's say procedural
15 schedule due on January 17th, and admission will be open
16 to any -- how this is to be handled, handled as a small
17 rate case or as a formal rate case. Okay? Anything else
18 anyone wants to bring up?

19 (No response.)

20 JUDGE WOODRUFF: All right. With that, we will
21 conclude the on-record of this portion of the prehearing
22 conference, and I'll leave you to your discussions. Thank
23 you all very much.

24 (Adjournment.)

25 (Whereupon, the record ended at a 10:25 a.m.)

<p>A</p> <p>a.m 1:18 4:1 6:25 above-entitled 7:7 accomplish 4:22 address 5:19 Adjournment 6:24 admission 6:15 Agency 2:12 answer 6:8,11 appearance 5:6 5:8 appearing 5:10 5:14,17 Attorney 3:12 3:17 Attorneys 3:5 Avenue 3:18</p> <hr/> <p>B</p> <p>Baker 3:11 4:13,21,25 5:13,13 6:1 behalf 5:14,17 believe 6:2 Boulevard 2:24 Box 3:6,13,19 5:11,13 bring 6:18 BRYDON 3:18</p> <hr/> <p>C</p> <p>C 3:1 4:2 7:1,1 calender 6:12 Capitol 3:18 caption 7:8 care 5:21 case 4:15,17,22 6:17,17 cause 7:7 CCR 2:22,23 7:17 Certified 7:4 certify 7:6</p>	<p>CHIEF 2:20 Christina 3:11 5:13 christina.bak... 3:15 City 1:9 2:8,25 3:7,14,19 5:11,14 7:13 Cole 7:3,14 come 5:7 Commission 1:3 2:2 3:2,5 3:12 5:10 company 2:16 3:16 4:5,18 4:21 5:18 Company's 5:2 6:8 Complainant 2:14 complaint 4:4 4:12,13,14 6:10 conclude 6:21 conference 1:8 1:18 2:7 4:6 6:22 contested 4:16 Cooper 3:17 5:16,17,17 6:4,7,13 Corporation 2:17 correct 4:12 7:10 Counsel 2:12 3:10 4:16 5:12,15 Counsel's 4:4 County 7:3,14 Court 5:18 7:4 curious 4:15</p> <hr/> <p>D</p> <p>D 4:2 days 6:5 dcooper@br...</p>	<p>3:20 deal 5:24 Dean 3:17 5:17 depends 5:1 DEPUTY 2:20 discovery 6:1 discuss 4:8,20 discussed 4:21 discussions 4:25 5:4,23 5:23 6:22 due 6:8,11,15</p> <hr/> <p>E</p> <p>E 3:1,1 4:2,2 7:1,1 East 3:18 ended 6:25 ENGLAND 3:18 entry 5:6,8 essentially 4:11 everybody 4:7 explain 4:7</p> <hr/> <p>F</p> <p>F 7:1 fact 6:7 figure 5:6 File 2:15 4:3 firm 7:5 follow 4:9 force 4:17 foregoing 7:10 form 6:10 formal 6:17 forth 7:8 full 7:10</p> <hr/> <p>G</p> <p>G 4:2 Gentry 2:22 7:4,17 give 4:6,9 given 6:7 7:13 go 4:7 Goldie 3:3 5:9</p>	<p>goldie.tompk... 3:8 good 5:20 guess 6:8</p> <hr/> <p>H</p> <p>handled 6:16 6:16 happens 5:7 hearing 4:1</p> <hr/> <p>I</p> <p>issues 4:22</p> <hr/> <p>J</p> <p>January 1:8 2:7 6:15 Jefferson 1:9 2:8,25 3:7,14 3:19 5:11,14 7:14 Judge 2:20 4:3 4:14,24 5:4,5 5:12,16,20 6:3,6,9,14,20</p> <hr/> <p>K</p> <p>know 4:19</p> <hr/> <p>L</p> <p>L 2:20 late 5:7 Law 2:20 3:5 3:12,17 leave 5:23 6:22 Let's 5:8 6:14 Lewis 3:4 5:3,9 Litigation 2:23 7:5 little 6:9 looking 6:5</p> <hr/> <p>M</p> <p>Madison 3:6,13 mentioned 6:4 Midwest 2:23 7:5 minutes 5:7</p>	<p>Missouri 1:1,9 2:1,8,13,16 2:23 3:2,5,12 5:10,11,14 7:2,14 MO 2:25 3:7,14 3:19 MORRIS 2:20</p> <hr/> <p>N</p> <p>N 3:1 4:2 need 4:9 5:6,24 6:2 never 5:5 notes 7:11</p> <hr/> <p>O</p> <p>O 4:2 occurs 5:5 office 2:12 3:10 4:4 5:15 7:13 Okay 4:24 5:12 6:3,17 on-record 6:21 open 6:15 opportunity 4:7 over-earnings 4:13,14</p> <hr/> <p>P</p> <p>P 3:1,1 4:2 P.C 3:18 P.O 3:6,13,19 5:11,13 Pamela 2:22 7:4,17 parties 4:20 personally 7:6 place 7:8,12 point 4:19 5:1 portion 6:21 prehearing 1:8 2:7 4:6 6:21 present 7:6 Presiding 2:20 privy 5:3</p>
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