

BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

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TRANSCRIPT OF PROCEEDINGS

Prehearing Conference

October 25, 2010

Jefferson City, Missouri

Volume 1

In the Matter of The Small     ) File No. SR-2010-0320  
Company Rate Increase of     )  
Timber Creek Sewer Company.   )

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HAROLD STEARLEY, Presiding  
CHIEF REGULATORY LAW JUDGE

REPORTED BY:  
Shelley L. Mayer, CCR  
TIGER COURT REPORTING, LLC

1 APPEARANCES

2 MS. CHRISTINA BAKER  
Public Service Commission  
3 P.O. Box 2230  
Jefferson City, Missouri 65102  
4 FOR: Office of the Public Counsel

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6 MS. JAIME OTT  
MS. RACHEL LEWIS  
Public Service Commission  
7 P.O. Box 360  
8 Jefferson City, Missouri 65102  
FOR: Staff

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10 MR. JEREMIAH FINNEGAN (Appearing by telephone)  
Finnegan, Conrad & Peterson  
11 3100 Broadway, Suite 1209  
Kansas City, Missouri 64111  
12 FOR: Timber Creek

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1 JUDGE STEARLEY: Let's go on the record.

2 MR. FINNEGAN: Okay.

3 JUDGE STEARLEY: Morning. It's Monday,  
4 October 25th, 2010. We are here for a prehearing  
5 conference in the matter of the Small Company Rate  
6 Increase of Timber Creek Sewer Company, File No.  
7 SR-2010-02 -- 0320.

8 My name is Harold Stearley, and I'm the  
9 presiding officer over this matter. Our court  
10 reporter this morning is Shelley Mayer.

11 We'll begin by taking entries of  
12 appearance starting with Timber Creek.

13 MR. FINNEGAN: For the company, Jeremiah  
14 D. Finnegan, Finnegan, Conrad & Peterson, 3100  
15 Broadway, Suite 1209, Kansas City, Missouri 64111.

16 JUDGE STEARLEY: Thank you, Mr. Finnegan.  
17 For the office of the Public Counsel?

18 MS. BAKER: Thank you. Christina Baker,  
19 P.O. Box 2230, Jefferson City, Missouri 65102,  
20 appearing on behalf of the Office of the Public  
21 Counsel and rate payers.

22 JUDGE STEARLEY: Okay. Thank you,  
23 Ms. Baker.

24 And for the staff of the Missouri Public  
25 Service Commission.

1 MS. OTT: Jaime Ott and Rachel Lewis,  
2 P.O. Box 360, Jefferson City, Missouri 65102.

3 JUDGE STEARLEY: Are there any  
4 preliminary matters we need to address this morning?

5 MR. FINNEGAN: Well, I believe we've got  
6 an approve to discuss the schedule or we filed one.

7 JUDGE STEARLEY: Yes. Yes, you have and  
8 I was going to take that up. I don't see any major  
9 conflicts at all in the dates that have been laid  
10 out. With regard to the local public hearing, I  
11 can't guarantee November 15th date at this time  
12 because the Commission still has to locate a place  
13 for holding the hearing. So later on, either today  
14 or tomorrow, I'll be getting out a procedural order  
15 adopting your schedule with the exception of the  
16 local public hearing. That'll come out by separate  
17 order as soon as we can locate a location for that.

18 I know we have a partial stipulation on  
19 the table right now. Would anyone like to enlighten  
20 the Commission as to what outstanding issues there  
21 are between the parties?

22 MS. OTT: Judge, I think in our joint  
23 procedural schedule we narrowed them down to the five  
24 issues in paragraph five.

25 JUDGE STEARLEY: Okay. All right. Very

1 well. Have there been any discovery issues in this  
2 matter that need to be addressed?

3 MS. OTT: Not at this time.

4 MS. BAKER: No.

5 JUDGE STEARLEY: All right. Okay.

6 There's one additional requirement I'm going to add  
7 to the procedural schedule for the same date as you  
8 have filing surrebuttal testimony. I would like the  
9 parties to file a joint stipulation of any  
10 noncontested material facts. I know there's already  
11 been some stipulations as to facts which are  
12 contained with the prior stipulation, so obviously  
13 those don't need to be repeated. But if there's any  
14 other material facts not covered by, I believe it was  
15 staff's ESMD report, I would like a separate filing  
16 jointly from the parties outlining any other facts  
17 not in dispute.

18 Additionally I wanted to advise you all  
19 of some potential conflict dates I have, which at  
20 this point do not interfere with any of the dates set  
21 in the procedural schedule, but if you need to  
22 contact me for any reason or if some things need to  
23 be changed, I may be unavailable on November 8th,  
24 9th, 10th, the 19th, and December 3rd, 15th, and  
25 16th.

1 MR. FINNEGAN: Okay.

2 JUDGE STEARLEY: All right. Is there  
3 anything else we need to take up in the on-the-record  
4 portion of this conference?

5 MR. FINNEGAN: Not that I know of, your  
6 Honor.

7 JUDGE STEARLEY: All right. Hearing  
8 none, the on-the-record portion of this prehearing  
9 conference is hereby concluded, and I'll leave you  
10 all to your discussions.

11 Thank you all very much.

12 (Off the record.)

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CERTIFICATE

I, Shelley L. Mayer, a Certified Court Reporter,  
CCR No. 679, the officer before whom the foregoing  
hearing was taken, do hereby certify that the  
testimony which appears in the foregoing hearing was  
taken by me to the best of my ability and thereafter  
reduced to typewriting under my direction; that I am  
neither counsel for, related to, nor employed by any  
of the parties to the action in which this hearing  
was taken, and further, that I am not a relative or  
employee of any attorney or counsel employed by the  
parties thereto, nor financially or otherwise  
interested in the outcome of the action.

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Shelley L. Mayer, CCR

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