BEFORE THE PUBLIC SERVICE COMMISSION STATE OF MISSOURI

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.)

HAROLD STEARLEY, Presiding CHIEF REGULATORY LAW JUDGE

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

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  APPEARANCES
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   MS. CHRISTINA BAKER
   Public Service Commission
   P.O. Box 2230
   Jefferson City, Missouri 65102
   FOR: Office of the Public Counsel
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 6 MS. JAIME OTT
   MS. RACHEL LEWIS
   Public Service Commission
   P.O. Box 360
   Jefferson City, Missouri 65102
   FOR: Staff
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10
   MR. JEREMIAH FINNEGAN (Appearing by telephone)
   Finnegan, Conrad & Peterson
   3100 Broadway, Suite 1209
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   Kansas City, Missouri 64111
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   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
LO	out. With regard to the local public hearing, I
11	can't guarantee November 15th date at this time
L2	because the Commission still has to locate a place
L3	for holding the hearing. So later on, either today
L4	or tomorrow, I'll be getting out a procedural order
L5	adopting your schedule with the exception of the
L6	local public hearing. That'll come out by separate
L7	order as soon as we can locate a location for that.
L8	I know we have a partial stipulation on
L9	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

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

MS. OTT: Not at this time.

MS. BAKER: No.

JUDGE STEARLEY: All right. Okay.

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

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

Shelley L. Mayer, CCR

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