

1	Page 1 STATE OF MISSOURI
2	PUBLIC SERVICE COMMISSION
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6	TRANSCRIPT OF PROCEEDINGS
7	Prehearing Conference
8	August 25, 2004 Jefferson City, Missouri
9	Volume 1
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12	The Staff of the Missouri Public) Service Commission,)
13	Petitioner,)
14	v.) Case No. TC-2004-0397
15	News-Press & Gazette Company,)
16	d/b/a St. Joseph Cablevision,)
17	Respondent.)
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19	RONALD D. PRIDGIN, Presiding,
20	REGULATORY LAW JUDGE.
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23	REPORTED BY:
24	KELLENE K. FEDDERSEN, CSR, RPR, CCR MIDWEST LITIGATION SERVICES
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Page 3 1 PROCEEDINGS JUDGE PRIDGIN: Good morning. This is the 2 3 prehearing conference in Case No. TC-2004-0397, the Staff 4 of the Missouri Public Service Commission vs. News-Press & Gazette Company, doing business as St. Joseph Cablevision. 5 6 I am Ron Pridgin. I'm the Regulatory Law 7 Judge assigned to preside over this prehearing conference. 8 It's being held on August 25th, 2004, in the Hotel 9 Governor Office Building in Jefferson City, Missouri. The 10 time is 10 o'clock in the morning. 11 At this time I would like to get oral entries of appearance from counsel, beginning with Staff, 12 13 please. 14MR. MEYER: Good morning. David Meyer for 15 the Staff of the Missouri Public Service Commission. Our address is P.O. Box 360, Jefferson City, Missouri 65102. 16 17 JUDGE PRIDGIN: Mr. Meyer, thank you. On behalf of News-Press & Gazette Company, doing business as 18 19 St. Joseph Cablevision, please. 20 MR. McCANN: Yes. Michael McCann, 21 M-c-C-a-n-n, with the Spencer, Fane, Britt & Browne law 22 firm, 1000 walnut Street, Suite 1400, Kansas City, 23 Missouri 64106. Also Kris, K-r-i-s, Becker, B-e-c-k-e-r, with the same law firm. 24 25 JUDGE PRIDGIN: All right. And I will note

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Page 4 1 that Mr. McCann and Ms. Becker are not here in person. 2 They are participating in this prehearing conference by 3 telephone. Is that correct, Mr. McCann? 4 MR. McCANN: Yes, it is. 5 JUDGE PRIDGIN: All right. Thank you. 6 I don't recall any pending motions. Do the 7 parties have any motions to bring to my attention or 8 anything else to bring to my attention before I proceed? 9 MR. McCANN: We did discuss a motion to 10 extend the filing deadline for the scheduling order so 11 that we will have time to discuss whether we can stipulate 12 to the facts or whether we would need to include discovery 13 within the scheduling order. 14JUDGE PRIDGIN: I understand. And as of 15 right now, the proposed procedural schedule is due September 1st. If one or both of the parties need extra 16 17 time to flesh out what your issues are or to file a 18 schedule, I'll certainly need you to file a motion telling 19 me how much extra time you need and why you need it. Ι 20 would likely grant it, but I would need something on file 21 from either of you or from both of you. 22 MR. MEYER: So just to clarify, that's not 23 something we could do orally today; that would be 24 something we would need to follow up on in writing? 25 JUDGE PRIDGIN: Well, I guess if the

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Page 5 1 parties both stated orally now that they know they'd need 2 extra time and how much extra time they'd need, I could 3 grant that now, yes. MR. McCANN: I think we agreed on 4 5 extending, that we would both like to have until 6 October 1st to be able to flesh these issues out and file 7 a procedural schedule. 8 JUDGE PRIDGIN: Okay, So what I'm hearing, 9 Mr. McCann, is that you would like me to extend the time 10 to file a proposed procedural schedule until October 1st? 11 MR. McCANN: That is correct. 12 JUDGE PRIDGIN: Okay. Mr. Meyer? 13 MR. MEYER: I would join in that motion. JUDGE PRIDGIN: All right. I will take 14 15 that, then, as a joint motion and will grant that. I will 16 issue a written order to that effect. All right. Thank you, Mr. McCann. Anything else? 17 18 MR. MEYER: I guess I have two points of clarification --19 20 JUDGE PRIDGIN: Yes, sir, Mr. Meyer. 21 MR. MEYER: -- that I would ask for. In 22 the Order granting the motion for rehearing, the 23 Commission noted that the reason for the granting was that St. Joseph Cablevision had argued that they were not a 24 25 telecommunications company and, therefore, not required to

Page 6 1 file an annual report. Am I correct, then, in assuming 2 that that is the issue that we are to address through the 3 hearing process, or should we proceed on a broader basis? That was the issue that 4 JUDGE PRIDGIN: 5 made the Commission decide to grant rehearing. I don't know that that precludes the parties from raising other 6 7 issues as well. I think that's the main issue that caught 8 their eye, but I don't think that prevents you from trying to bring other issues to the Commission's attention. 9 10 MR. MEYER: And then my second, I quess, sort of request for clarification is the order setting the 11 prehearing conference had a reference that the Staff -- I 12 13 guess the parties or their representatives should be 14 prepared to discuss the current status of any settlement 15 negotiations. our previous instructions in such cases on 16 the generic level had been that Staff was not to engage in a global settlement type perspective but perhaps could 17 consider entering stipulations of fact and that sort of 18 19 thing, and to clarify that that's not changed. 20 JUDGE PRIDGIN: And Mr. Meyer, thank you. 21 I understand that. And that's basically boilerplate 22 I understand that sometimes parties cannot language. 23 settle, don't have authority to or don't wish to, and I 24 appreciate your clarifying that for me. 25 Anything else from the parties?

1	Page 7 MR. MEYER: We have nothing further.
2	JUDGE PRIDGIN: All right. And again, what
3	I would normally do now is tell the parties that the
4	purposes of the conference are twofold, No 1 being to
5	discuss settlement, and I think Mr. Meyer's already
6	pointed out that Staff doesn't have any authority to
7	settle, at least not right now, and then No. 2 to give the
8	parties a chance to hammer out a proposed procedural
9	schedule. And it sounds as if by my extending the
10	deadline to October 1st, you're going to have some time to
11	discuss that other than today.
12	So I don't see anything else that I need to
13	tell the parties. Is there anything else the parties need
14	to tell me before we close?
15	MR. McCANN: Nothing from us.
16	JUDGE PRIDGIN: All right. Hearing
17	nothing, then, I will conclude this prehearing conference,
18	and again, I will issue an Order, a written Order
19	confirming that you have until October 1st to file a
20	proposed procedural schedule.
21	At this time we will go off the record.
22	This concludes the prehearing conference. Thank you very
23	much.
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