

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION

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6 TRANSCRIPT OF PROCEEDINGS

7 Prehearing Conference

8 April 1, 2004
9 Jefferson City, Missouri
Volume 1

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12 The Staff of the Missouri Public)
Service Commission,)
13)
Petitioner,)
14)
V.) Case No. TC-2004-0406
15)
St. John's Regional Medical Center,))
16)
Respondent.)

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18 RONALD D. PRIDGIN, Presiding,
19 REGULATORY LAW JUDGE.

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

2 JUDGE PRIDGIN: We are on the record. Good
3 morning. This is the prehearing conference in Case No.
4 TC-2004-0406, the Staff of the Missouri Public Service
5 Commission vs. St. John's Regional Medical Center.

6 I'm Ron Pridgin, the Regulatory Law Judge
7 assigned to preside over this prehearing conference. It's
8 being held on April 1st, 2004 at the Governor Office
9 Building in Jefferson City, Missouri. The time is
10 10 o'clock in the morning. We are here because of my
11 March 23rd, 2004 Order setting this case for prehearing
12 conference and requiring a filing of a proposed procedural
13 schedule.

14 At this time I would like to get entries of
15 appearance from counsel, beginning with Staff, please.

16 MR. BATES: Thank you, your Honor.
17 Bruce H. Bates appearing for the Staff of the Missouri
18 Public Service Commission. My address is Post Office
19 Box 360, Jefferson City, Missouri 65102.

20 JUDGE PRIDGIN: Mr. Bates, thank you. On
21 behalf of St. John's Regional Medical Center, please.

22 MR. STEWART: Charles Brent Stewart of the
23 law firm of Stewart & Keevil, LLC, 4603 John Garry Drive,
24 G-a-r-r-y, Suite 11, Columbia, Missouri 65203, appearing
25 on behalf of the Respondent.

1 JUDGE PRIDGIN: Mr. Stewart, thank you. I
2 do believe I have an entry of appearance from you, a
3 written one. Thank you very much.

4 I don't believe I have any pending motions
5 Are there any motions that I'm unaware of or anything else
6 that the parties would like to bring to my attention?

7 MR. STEWART: I don't have any pending
8 motions, but it's my understanding in discussions with my
9 client that they are in the process of preparing the
10 annual report in question and that will be filed
11 forthwith. At that point it would be my intention to file
12 a motion to dismiss the case, but I just -- just to let
13 you know, that's kind of where we were proceeding.

14 JUDGE PRIDGIN: Mr. Stewart, thank you.
15 And I'm not sure what would happen as far as our filing
16 system. That may or may not create a separate case. If
17 so, I would be glad to entertain any party's motion to
18 consolidate those cases. I mean, that's been pretty
19 common. And so just to alert you, Mr. Stewart, if you do
20 file that and it creates a separate case, there's no
21 reason to panic or anything, and the parties have
22 regularly asked to consolidate those cases.

23 MR. STEWART: I'm assuming that the annual
24 report is -- what my thought would be would be to file it
25 under the normal procedure, whatever that does to it, as

1 well as file a copy in this case.

2 JUDGE PRIDGIN: That's fine.

3 MR. STEWART: So that you'd have a complete
4 record in this docket.

5 JUDGE PRIDGIN: That would be fine. Thank
6 you very much. Anything else from the parties?
7 Mr. Bates?

8 MR. BATES: Judge, just to make a comment.
9 The language that is contained in the Order that set this
10 prehearing conference implies that there could be
11 settlement negotiations. I just wanted to point out to
12 the Commissioners, I understand that that language is
13 always in these sorts of orders, but Staff has not been
14 empowered to conduct any settlement negotiations at this
15 stage.

16 JUDGE PRIDGIN: I understand, Mr. Bates,
17 and thank you for pointing that out. That certainly leads
18 me into what I would normally say next, is that one of the
19 main reasons for the prehearing conference is to encourage
20 the parties to get together and discuss settlement. And
21 if that's not possible, I understand, and that still
22 leaves the other reason for the conference, and that is
23 for the parties to get together and hammer out a proposed
24 procedural schedule. That is due in a week. And you have
25 access to this room the rest of the day for you to discuss

1 settlement if it's possible and, if not, to look at a
2 proposed procedural schedule. Of course, I'm up on the
3 ninth floor and the calendar is up on the ninth floor, and
4 you're free to come up there and talk to me and look at
5 dates.

6 I will alert the parties that if you pick
7 any hearing dates anywhere near Memorial Day, be it a few
8 days before or after, I will likely be unavailable.
9 So if you're thinking about dates in that area, if you'll
10 please consult with me first to see if I'm available.

11 Also, routinely when I get a proposed
12 procedural schedule, I'll circulate an Order to the
13 Commissioners, and they almost always approve of it and I
14 would issue an Order around two or three days later. If
15 that doesn't happen in this case, don't panic. It's
16 because we're just now debating the idea of maybe
17 consolidating some of these complaint cases and get a
18 bunch heard in one day with one judge just to be more
19 efficient.

20 So if the Commission doesn't approve your
21 schedule immediately, that might be the reason why. And
22 if you have any concerns about that, of course, feel free
23 to contact me. And I don't know if this will happen or
24 not. I just want to alert you, if you don't get an Order
25 two or three days later, that might be and probably is the

1 reason that you don't.

2 I don't believe I have anything else for
3 the parties. Anything else, Mr. Stewart or Mr. Bates?

4 MR. BATES: No, thank you.

5 JUDGE PRIDGIN: All right. Again, you have
6 access to this room until five o'clock, and I'm on the
7 ninth floor and the calendar's on the ninth floor.

8 Thank you very much. That will conclude
9 this prehearing conference. We are off the record.

10 WHEREUPON, the recorded portion of the
11 prehearing conference was concluded.

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