

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION

3
4 PREHEARING CONFERENCE

5 March 29, 2002
6 Jefferson City, Missouri
7 Volume 3

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9 Office of the Public Counsel,)
10 Complainant,)
11 v.) Case No. WC-2002-155
12 Warren County Water and Sewer)
13 Company and Gary L. Smith,)
14 Respondents.)

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17 BEFORE:

18 LEWIS R. MILLS, JR., Presiding,
19 DEPUTY CHIEF REGULATORY LAW JUDGE.

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21 REPORTED BY:

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14 FOR: Staff of the Missouri Public Service
Commission.

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

2 (Written Entries of Appearance filed.)

3 JUDGE MILLS: Let's go on the record.

4 We're on the record this morning for a
5 prehearing conference in Case No. WC-2002-155, which
6 has been consolidated with Case No. SC-2002-160.

7 We'll begin by taking entries of appearance,
8 beginning with Mr. Krueger from the Staff.

9 MR. KRUEGER: Keith R. Krueger for the Staff
10 of the Missouri Public Service Commission. My address
11 is P.O. Box 360, Jefferson City, Missouri, 65102.

12 JUDGE MILLS: And for Public Counsel?

13 MS. O'NEILL: Yes. Ruth O'Neill for the
14 Office of Public Counsel and the public. Our address
15 is P.O. Box 7800, Jefferson City, Missouri, 65102.

16 JUDGE MILLS: And for the Respondents?

17 MR. SCHAEFER: Kurt Schaefer with the law
18 firm of Lathrop and Gage, 326 East Capitol Avenue,
19 Jefferson City, Missouri, 65101. And I'm here for
20 Warren County Water and Sewer and Gary Smith.

21 JUDGE MILLS: Is there anything that the
22 parties want to take up while we're on the record?

23 MS. O'NEILL: I don't think so.

24 JUDGE MILLS: I've got at least one item.

25 Yesterday -- and I don't know if Staff

1 for -- I mean, counsel for Staff or counsel for Public
2 Counsel has seen this -- the Respondents filed a
3 motion to extend the time to file their Rebuttal
4 Testimony and to file Proposed Findings of Fact and
5 Conclusions of Law.

6 Have you-all seen this?

7 MR. KRUEGER: I have seen it, your Honor,
8 and I've prepared a response to it which has not yet
9 been filed, but, basically, we're supporting it.

10 JUDGE MILLS: Okay.

11 MR. KRUEGER: We're not opposing the request
12 for extension to late-file Rebuttal, and we're
13 supporting the request regarding Findings of Fact and
14 Conclusions of Law.

15 JUDGE MILLS: What about for Public Counsel?

16 MS. O'NEILL: I am not going to oppose the
17 filing of Rebuttal Testimony, assuming that all of the
18 Rebuttal Testimony was filed yesterday, which would
19 have been one piece of testimony.

20 MR. SCHAEFER: Yeah, I believe it was.

21 JUDGE MILLS: It was filed yesterday?

22 MR. SCHAEFER: Yeah. I believe the motion
23 was actually filed the day before yesterday, which is
24 when the original date was.

25 JUDGE MILLS: Oh, you're right. I'm a day

1 behind.

2 Okay. So it was filed yesterday?

3 MR. SCHAEFER: Yes.

4 JUDGE MILLS: Okay.

5 MS. O'NEILL: I don't really have a position
6 on the other request, although -- I just don't have a
7 position on the other request.

8 JUDGE MILLS: Okay. Then while we're on the
9 record, since no one opposes them, I'll grant the
10 motion -- both the motion to file Rebuttal Testimony
11 late and to file the Proposed Findings of Fact and
12 Conclusions of Law after the conclusion of the
13 hearing. And I'll issue a notice to that effect just
14 so there is a paper trail.

15 Anything else we need to talk about on the
16 record?

17 (No response.)

18 JUDGE MILLS: Okay. Then we are off the
19 record.

20 WHEREUPON, the on-the-record portion of the
21 prehearing conference was concluded.

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