

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION

3 PREHEARING CONFERENCE
4 December 6, 1999
5 Jefferson City, Missouri
6 Volume 1

7 In the Matter of the Joint)
8 Application of UtiliCorp United)
9 Inc. and St. Joseph Light & Power) Case
10 Company for Authority to Merge) No. EM-2000-292
11 St. Joseph Light & Power Company)
12 with and into UtiliCorp United)
13 Inc., and, in Connection)
14 Therewith Certain Other Related)
15 Transactions.)

16 BEFORE:

17 MORRIS L. WOODRUFF Presiding,
18 REGULATORY LAW JUDGE.

19 REPORTED BY:

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8 FOR: UtiliCorp United Inc.

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14 FOR: St. Joseph Light & Power Company.

15 DOUGLAS E. MICHEEL, Senior Public Counsel
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19 FOR: Office of the Public Counsel
20 and the Public.

21 STEVEN DOTTHEIM, Chief Deputy General Counsel
22 P.O. Box 360
23 Jefferson City, Missouri 65102

24 FOR: Staff of the Missouri Public
25 Service Commission.

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4 Jefferson City, Missouri 65109

5 FOR: Missouri Department of Natural
6 Resources.

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

2 JUDGE WOODRUFF: Good morning everyone. My
3 name is Morris Woodruff, and I'm the regulatory law
4 judge in this case.

5 And just for the record I'll identify what
6 case this is. This is Case No. EM-2000-292 in the
7 matter of the joint application of UtiliCorp United
8 Inc. and St. Joseph Light & Power Company for
9 authority to merge St. Joseph Light & Power Company
10 with and into UtiliCorp United Inc., and, in
11 connection therewith, certain other related
12 transactions.

13 We're here today for a prehearing
14 conference. And to start things out we'll go ahead by
15 taking entries of appearance. And since UtiliCorp and
16 St. Joseph Light and Power are the applicants in this
17 case, we'll start with UtiliCorp.

18 MR. SWEARENGEN: Thank you.

19 Let the record show the appearance of
20 James C. Swearengen and Paul Boudreau, Brydon,
21 Swearengen and England, 312 East Capitol Avenue,
22 Jefferson City, Missouri, appearing on behalf of
23 UtiliCorp United Inc.

24 JUDGE WOODRUFF: St. Joseph Light & Power
25 Company.

1 MR. COMLEY: Let the record reflect the
2 appearance of Mark W. Comley, Newman, Comley & Ruth,
3 601 Monroe, Suite 301, Post Office Box 537,
4 Jefferson City, Missouri.

5 JUDGE WOODRUFF: Thank you, sir.

6 And for the Staff.

7 MR. DOTTHEIM: Steven Dottheim appearing on
8 behalf of the Staff of the Missouri Public Service
9 Commission, Post Office Box 360, Jefferson City,
10 Missouri 65102.

11 JUDGE WOODRUFF: And for Public Counsel.

12 MR. MICHEEL: Douglas E. Micheel and John B.
13 Coffman appearing on behalf of the Office of Public
14 Counsel and the Public, Post Office Box 7800,
15 Jefferson City, Missouri 65102-7800.

16 JUDGE WOODRUFF: And for the City of
17 Springfield.

18 MR. KEEVIL: Jeffrey A. Keevil of the law
19 firm of Stewart & Keevil, LLC, 1001 Cherry Street,
20 Suite 302, Columbia, Missouri 65201, appearing on
21 behalf of the City of Springfield, Missouri, through
22 the Board of Public Utilities.

23 JUDGE WOODRUFF: Thank you.

24 And Department of Natural Resources.

25 MS. WOODS: Shelley Woods with the Missouri
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1 Attorney General's Office representing the Department
2 of Natural Resources, Post Office Box 899,
3 Jefferson City, Missouri 65102.

4 JUDGE WOODRUFF: Okay. And for AGP.

5 MR. CONRAD: Stuart Conrad of the law firm
6 of Finnegan, Conrad and Peterson LLC, 1209 Penn Tower,
7 3100 Broadway, Kansas City, Missouri 65111.

8 JUDGE WOODRUFF: Thank you.

9 Is there anyone I've missed?

10 Hearing none.

11 All right. The main reason you're here
12 today is to give you an opportunity to discuss these
13 matters and proceed towards the procedural schedule.

14 There has been a great deal of interexchange
15 of motions and responses and so forth, and that's the
16 reason we called this hearing or this prehearing
17 conference, so you'd have an opportunity to discuss
18 this all face to face.

19 I'm going to ask that you file a proposed
20 procedural schedule by next Tuesday, it would be the
21 14th, by three o'clock. If you can't agree upon a
22 single schedule, feel free to file competing
23 schedules. But I do want firm schedules for firm
24 proposed schedules, either one or two or however many
25 there may be, but give me actual proposed schedules.

1 Of course, if you can't agree upon a single
2 schedule, then the Commission will make the final
3 determination of what schedule will be used in this
4 case.

5 UtiliCorp and St. Joseph Light and Power
6 were given an opportunity to file a response to
7 various motions that are pending in this case, of
8 which they filed on Friday. If any other party wants
9 to make a written response to those, you can do so by
10 Monday at three o'clock. It would be the 13th. And,
11 of course, the Commission will consider those also.

12 And the Commission will rule on a motion,
13 the motion to require a market power study after the
14 proposed procedural schedules are submitted, in the
15 hopes that perhaps you can resolve that issue as well
16 today. At least discuss it and come up with your
17 positions on it.

18 Are there any other matters that anyone
19 wants to bring up while we're on the record?

20 Mr. Keevil.

21 MR. KEEVIL: On the proposed schedule did
22 you say it was at three o'clock?

23 JUDGE WOODRUFF: Yes, three o'clock on the
24 14th.

25 MR. DOTTHEIM: And responses to UtiliCorp

1 St. Joseph Light & Power responses of last Friday are
2 due by three p.m. on Monday, December 13th?

3 JUDGE WOODRUFF: That's correct.

4 Mr. Conrad.

5 MR. CONRAD: Two things. We have not
6 received a copy of the company's original motion, so I
7 appreciate their serving me with that. And No. 2, we
8 would at this time at least indicate our support for
9 Public Counsel and perhaps other parties' motion to
10 require the filing of a market power study.

11 JUDGE WOODRUFF: Okay. Any other matters
12 anyone wants to bring up?

13 All right. At this point we'll go off the
14 record.

15 WHEREUPON, the recorded portion of
16 Prehearing Conference was concluded.

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