

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION

3
4 PREHEARING CONFERENCE

5 October 8, 2002
6 Jefferson City, Missouri
7 Volume 1
8

9 In the Matter of the Application)
10 of Union Electric Company, d/b/a)
11 AmerenUE for an Order Authorizing)
12 Applicant to Convey to and Lease)
13 Back from the City of Bowling) Case
14 Green, Missouri, Certain Real) No. EO-2003-0035
15 Property and Improvements and to)
16 Execute and Perform the Necessary)
17 Agreements under Section 100.010)
18 through 100.200, RSMo, for the)
19 Purpose of Constructing)
20 Applicant's Electric Generating)
21 Facility in Bowling Green,)
22 Missouri)

23 BEFORE:

24 KENNARD L. JONES, Presiding,
25 REGULATORY LAW JUDGE.

26 REPORTED BY:

27 KRISTAL R. MURPHY, CSR, RPR, CCR
28 ASSOCIATED COURT REPORTERS

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

2 (Written Entries of Appearance filed.)

3 JUDGE JONES: We are here on the matter of
4 the Application of Union Electric Company, doing
5 business as AmerenUE for authority to convey to and
6 lease back from the City of Bowling Green certain
7 property for the purpose of constructing a generating
8 facility in that city.

9 My name is Kennard Jones. I'm the
10 Regulatory Law Judge presiding over this matter.

11 And would everyone here please introduce
12 themselves, starting to my left with Staff.

13 MR. WILLIAMS: Nathan and William Steven
14 Dottheim, appearing on behalf of the Staff of the
15 Missouri Public Service Commission, P.O. Box 360,
16 Jefferson City, Missouri, 65102.

17 MR. GIESEKE: Ron Gieseke, G-i-e-s-e-k-e,
18 and Ron Evans, appearing on behalf of Union Electric
19 Company, doing business as AmerenUE, 1901 Chouteau
20 Avenue, St. Louis, Missouri, 63103.

21 MR. COFFMAN: Appearing on behalf of the
22 Office of the Public Counsel, John B. Coffman, P.O.
23 Box 7800, Jefferson City, Missouri, 65102.

24 JUDGE JONES: The purpose of setting this
25 prehearing conference was to, first, speed things

1 along with the anticipation that there would be
2 persons wanting to intervene in the matter.

3 I should note that Kansas City Power & Light
4 did file an Application for Intervention. That
5 application was granted; however, it's apparent that
6 Kansas City Power & Light is not in appearance today.

7 So among those of you who are present, are
8 there any contested issues that need to be discussed?

9 MR. WILLIAMS: No, Judge.

10 JUDGE JONES: I'm sorry?

11 MR. GIESEKE: We have none.

12 MR. COFFMAN: None.

13 JUDGE JONES: And I anticipate that Staff of
14 the Commission will soon file its Memorandum and
15 Recommendation in the matter?

16 MR. WILLIAMS: That's what Staff is
17 planning, Judge.

18 JUDGE JONES: And will Union Electric need
19 time to reply to that?

20 MR. GIESEKE: I think we'll need a short
21 period of time.

22 I would like to address a timetable, if that
23 will be okay.

24 JUDGE JONES: All right.

25 MR. GIESEKE: We have a need to -- as you

1 saw in the application, to get an order of the
2 Commission. In our application, we indicated that an
3 order -- we requested by mid October or October 15th.

4 Along with this filing before the Public
5 Service Commission, we have a filing with the
6 Securities and Exchange Commission, and as well at
7 Illinois Commerce Commission. And we're asking the
8 SEC for an order by December 1, and in order to obtain
9 that order in a timely fashion, we will need to file
10 with the SEC an order of this Commission. And we
11 would like to be able to have an effective order of
12 the Commission on or before November 15th.

13 JUDGE JONES: The 15th is next week.

14 MR. GIESEKE: November 15th.

15 JUDGE JONES: Oh, November 15th.

16 MR. GIESEKE: Such that the -- if the order
17 would be issued on or before November 5, so that we
18 would have the 10-day effective date, it would be a
19 timely order for the Company.

20 JUDGE JONES: Okay.

21 MR. DOTTHEIM: Mr. Gieseke, that
22 November 15th date is because of some changes or some
23 events that have occurred, that instead of the
24 October 15th that the Company originally requested,
25 November 15th is the date at this -- at this point by

1 which the Company is requesting an order from the
2 Commission, an effective order from the Commission,
3 because of some subsequent events.

4 MR. GIESEKE: Yeah. At the time of our
5 filing, Judge, we did not think we would find it
6 necessary to file an application with the Securities &
7 Exchange Commission, but we found that it was prudent
8 to do so, which pushed the timetable back.

9 The real -- the real thrust of this is in
10 order for us to obtain the tax savings that are
11 involved in this particular transaction, we need to
12 have the transaction effectuated before the end of the
13 year.

14 JUDGE JONES: I see. And Mr. Williams, when
15 does Staff anticipate filing its Memorandum?

16 MR. WILLIAMS: We were hoping to be able to
17 file it today. That's still questionable. We
18 anticipate filing it this week. I hate to
19 specifically commit to that, but that's what we're
20 working towards doing.

21 JUDGE JONES: Did you say this weekend?

22 MR. WILLIAMS: By the end of this week.

23 JUDGE JONES: By the end of this week.

24 MR. WILLIAMS: I would like to be filing it
25 today. I'm not sure if that's going to happen.

1 JUDGE JONES: And Mister -- is it Gieseke?
2 MR. GIESEKE: Gieseke.
3 JUDGE JONES: Gieseke. How much time do you
4 anticipate needing after Staff files its Memorandum?
5 MR. GIESEKE: Well, we would -- we would
6 promptly respond to the Staff's Recommendation. I
7 would say we would need no more than a week period of
8 time, but we would probably respond sooner than that.
9 MR. WILLIAMS: Judge, in connection with
10 that, Staff anticipates circulating the Memorandum
11 probably even before its filed, and we have e-mail
12 addresses, so we'll be expediting getting the
13 information out as quickly as we can to the other
14 parties.
15 JUDGE JONES: Okay. And will Public Counsel
16 want to file something?
17 MR. COFFMAN: Possibly. We've had several
18 conversations with the other parties and don't
19 anticipate any issues. We are assuming that the
20 Recommendation deals with the fact that no rate-making
21 determinations would come out of this case, that would
22 deal with our primary concerns.
23 We think we understand it, but I -- I think
24 we would need no more than a week after the
25 Recommendation is filed or that we see the

1 Recommendation to make any additional suggestions we
2 might have. I don't anticipate any issues at this
3 point.

4 JUDGE JONES: So it sounds like all of the
5 points of view will be filed within the next two
6 weeks. Is that what I'm understanding?

7 MR. COFFMAN: That seems reasonable to
8 expect.

9 JUDGE JONES: Okay. Is there anything else
10 that needs to be discussed?

11 MR. WILLIAMS: I don't believe so at this
12 date.

13 MR. GIESEKE: Not that we're aware of.

14 MR. COFFMAN: None.

15 JUDGE JONES: All right. Well, with that,
16 then, we will conclude the prehearing.

17 WHEREUPON, the on-the-record portion of the
18 prehearing conference was concluded.

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