

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION

3
4 PREHEARING CONFERENCE

5 June 28, 2001
6 Jefferson City, Missouri
7 Volume 1

8 In the Matter of the Joint)
9 Application of Gateway Pipeline)
10 Company, Inc., Missouri Gas)
11 Company and Missouri Pipeline)Case No. GM-2001-585
12 Company and the Acquisition by)
13 Gateway Pipeline Company of the)
14 Outstanding Shares of UtiliCorp)
15 Pipeline Systems, Inc.)

16 BEFORE: KEITH THORNBURG, Presiding,
17 REGULATORY LAW JUDGE.

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19
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1 P R O C E E D I N G S

2 (Written Entries of Appearance Filed.)

3 JUDGE THORNBURG: We'll go on the record at
4 this time.

5 It's Thursday, June 28th at 10 a.m. We're
6 convening this hearing at the Offices of the Missouri
7 Public Service Commission in Jefferson City, Missouri.

8 The matter that we're appearing for is the case
9 that is filed in the matter of the joint application of
10 Gateway Pipeline Company, Inc., Missouri Gas Company and
11 Missouri Pipeline Company and the acquisition by Gateway
12 Pipeline Company of the outstanding shares of Utilicorp
13 Pipeline Systems, Inc., Case No. GM-2001-585.

14 My name is Keith Thornburg. I'm the regulatory
15 law judge assigned to this matter. And we're going to
16 begin with entries of appearance.

17 And I'll ask first for entries of appearance
18 for Missouri Gas Company, Missouri Pipeline Company and
19 Utilicorp United, Incorporated.

20 MR. BOUDREAU: Yes. Thank you.

21 Let the record reflect the appearance of
22 James C. Swearngen and Paul A. Boudreau with the
23 Jefferson City law firm of Brydon, Swearngen and England,
24 Post Office Box 456, Jefferson City, Missouri, 65102,
25 appearing on behalf of UtiliCorp United, Missouri Pipeline

1 Company and Missouri Gas Company.

2 JUDGE THORNBURG: Thank you.

3 Gateway Pipeline Company.

4 MR. KEEVIL: Appearing on behalf of Gateway
5 Pipeline Company, Jeffrey A. Keevil of the law firm of
6 Stewart and Keevil LLC. Our address is 1001 Cherry
7 Street, Suite 302, Columbia, Missouri, 65201.

8 JUDGE THORNBURG: Is there anyone here for
9 Union Electric Company this morning?

10 MR. EVANS: Yes. Ronald K. Evans appearing on
11 behalf of Union Electric Company, P. O. Box 66149,
12 St. Louis, Missouri, 63166.

13 I'll also enter the appearance of Thomas Byrne,
14 who is vacationing today, B-y-r-n-e.

15 JUDGE THORNBURG: Thank you.

16 Laclede Gas Company.

17 MR. COMLEY: Good morning, Judge Thornburg.
18 I'll enter the appearance this morning of Mark W. Comley,
19 Newman, Comley and Ruth, 601 Monroe Street, Suite 301,
20 Post Office Box 537, Jefferson City, Missouri.

21 I join Michael C. Pendergast who is the
22 Vice-President and Associate General Counsel, who has
23 previously entered his appearance.

24 JUDGE THORNBURG: Thank you.

25 CMS Panhandle Eastern Pipeline Company.

1 MS. YOUNG: Thank you, Judge.

2 Mary Ann Young appearing on behalf of CMS
3 Panhandle Eastern Pipeline Company. I'm with the law firm
4 of William D. Steinmeier, P.C., P. O. Box 104595,
5 Jefferson City, Missouri, 65110.

6 And please also reflect the appearance of
7 William D. Steinmeier of our firm, who is also on vacation
8 today.

9 JUDGE THORNBURG: Thank you.

10 Office of Public Counsel.

11 MS. O'NEILL: Yes.

12 Ruth O'Neill for the Office of Public Counsel,
13 P. O. Box 7800, Jefferson City, Missouri, 65102.

14 JUDGE THORNBURG: And for the Staff of the
15 Missouri Public Service Commission.

16 MS. SHEMWELL: Thank you. Good morning.

17 Lera Shemwell representing the Staff of the
18 Missouri Public Service Commission, Post Office Box 360,
19 Jefferson City, Missouri, 65102.

20 JUDGE THORNBURG: Okay. Are there any parties
21 or attorneys that I've missed this morning?

22 Seeing none, we'll continue.

23 The main reason for the prehearing conference
24 is to determine whether there are any actual issues in
25 controversy and whether the controversy can be resolved or

1 settled.

2 The order setting this prehearing conference
3 was issued on June 11th, 2001.

4 The prehearing conference is an opportunity for
5 the parties to discuss and define and possibly resolve the
6 issues that may be presented to the Commission, and also
7 to agree to the procedural schedule for this proceeding.

8 I expect -- or would ask that each party
9 provide me your position today, that you have been able to
10 define that, and let me know what your issues are and what
11 your concerns might be or that you actually have.

12 And, also, if possible, I'd like at this early
13 stage, if you've been able to define the relief that
14 you're requesting from the Commission, that would be very
15 helpful to hear what you're going to be asking for.

16 At this point I'd like Mr. Boudreau to bring me
17 up on the status of the case at this point in the
18 discussions or discovery or informal discovery you've had
19 with the other parties.

20 MR. BOUDREAU: I'd be glad to do that, Judge.
21 And some of the particulars I may defer to some of the
22 other counsel. Some of the information I have is
23 secondhand.

24 I think it's fair to say that no dust has
25 settled on this case since the Commission issued its order

1 serving jurisdiction over the transaction.

2 There have been some informal discussions about
3 the transactions between the parties, at least the parties
4 being UtiliCorp and Gateway, Staff and OPC.

5 There has been an exchange of information.
6 That exchange has been both informal and formal. Informal
7 in the sense that there have been some discussions about
8 the transaction; formal in the sense that there has been
9 an exchange of DRs, DRs submitted and responded to.

10 Generally, it's my understanding that on
11 June 6th, shortly after the Commission's May 24th order
12 asserting jurisdiction, representatives of Gateway met
13 with members of the Staff and the Office of the Public
14 Counsel.

15 I was not present, but it's my understanding
16 that that was basically a get-acquainted session between
17 those parties. And based on what I've been told, those
18 discussions were productive and informative.

19 I would defer to Mr. Keevil, who is Gateway's
20 attorney, and the attorneys for Staff and Public Counsel,
21 if you'd like some more insight into those discussions.

22 But like I said, I wasn't present, so I
23 hesitate to get into the details of it.

24 But I understand that there was some discussion
25 about discovery at those meetings, and there was also a

1 discussion about some preliminary discussion about some
2 dates for a procedural schedule, to the extent that we're
3 not able to resolve the case by settlement here today.

4 To touch on discovery, UtiliCorp and MPC and
5 MGC, Missouri Pipeline Company and Missouri Gas Company,
6 have received a number of --

7 JUDGE THORNBURG: Thank you for defining the
8 acronyms.

9 And if you use an abbreviated name for your
10 company, make sure it's clear on the record. Then we can
11 use that the rest of the proceeding today.

12 MR. BOUDREAU: And I apologize if I've used the
13 acronyms before without defining the companies.

14 But those three companies have received a
15 number of data requests from both Staff and Public
16 Counsel.

17 And with the exception of two data requests
18 that, I think, were received late last week, I think
19 answers have been supplied to those.

20 It's my understanding that Gateway also has
21 received a number of DRs -- Gateway Pipeline Company has
22 received a number of DRs both from Staff and Public
23 Counsel, and it's my understanding that those DRs have all
24 been answered.

25 But, again, I'll defer to Mr. Keevil for a more

1 accurate status of those items.

2 I can tell you that all of the joint applicants
3 have made every effort to expedite a turnaround on the
4 data requests that have been submitted and may still be
5 submitted.

6 To my knowledge we've received no data
7 requests, either formal or informal, from the intervenor
8 parties in this case, but I'll stand corrected if, in
9 fact, some have come in and I have not been made aware of
10 that.

11 To my knowledge we haven't identified any
12 particular issues in the case other than just the standard
13 filing requirements that needed to be met, you know, along
14 with the application.

15 My point is, I'm not aware of any obstacles
16 that have come up or any problematic issues, but I
17 wouldn't necessarily know that at this point.

18 Hopefully, later on in the discussion today, if
19 there are any problems that any of the parties have, we
20 hope to identify those, and with some good fortune and
21 luck, maybe resolve some or all of them.

22 As far as I know, there has been no proposal of
23 an outline for settlement that's been discussed either,
24 and that would be a natural outflow of today's
25 proceedings, I would think.

1 The joint applicants remain committed to
2 getting this matter resolved in order to meet the
3 contractual deadline of September 30th, 2001 close date.

4 Today we hope to, as ordered by the Commission
5 in its June 11th order, to identify and narrow the issues.

6 The joint applicants are hopeful that we can
7 begin the process of settling this case and submitting
8 that settlement to the Commission, or in the alternative,
9 we hope to submit a proposed procedural schedule targeted
10 to meet that transaction close date.

11 On behalf of my clients, I've brought with me
12 today Rick Kreul, who is the President of both Missouri
13 Pipeline Company, Missouri Gas Company and UtiliCorp
14 Pipeline Systems -- or Corporation. Excuse me.

15 Also with me today is Dan Klein, who is an
16 Assistant Manager of Gas Operations for UtiliCorp Missouri
17 operations, and also Robert Amdor, who is the Regulatory
18 Manager for UtiliCorp.

19 So we have some representatives from the
20 various parties and companies to help resolve and address
21 issues here today.

22 And with that I'll --

23 JUDGE THORNBURG: I want to thank you for
24 bringing some representatives from the company today. I
25 think that would facilitate the discussions after the

1 formal part of the hearing today.

2 MR. BOUDREAU: Thank you.

3 JUDGE THORNBURG: On the resolved -- if this
4 case can be resolved, there could be a possibility of some
5 type of a settlement document.

6 Do you think it could possibly, also, take the
7 form of a Staff recommendation with responses to that?

8 MR. BOUDREAU: I've seen that done.

9 I suppose I had gone into this thinking that it
10 would probably take the form of a stipulation or
11 agreement, but I've seen cases resolved in the form of --
12 if there is an understanding about what the Staff
13 recommendation will be.

14 I think that whether or not that position works
15 or not is whether or not the other parties to the case
16 have issues that are addressed by how the Staff submits
17 it.

18 So my sense at this point is that it would
19 probably be more useful to maybe focus our attentions on
20 putting together a stipulation for resolution, but I'm not
21 eliminating other means of doing the same task.

22 JUDGE THORNBURG: And I'm not suggesting any
23 particular course, but I just wanted to make sure that
24 there is some flexibility built in, because to the extent
25 issues aren't clearly defined early, it may run us short

1 on time later. If we can get everything out on the table,
2 then that is going to help move things along.

3 Thank you.

4 Mr. Keevil, can you fill in any gaps that he
5 might have missed at this point?

6 MR. KEEVIL: Well, Mr. Boudreau did a pretty
7 good job, I think, of filling you in. He started at the
8 beginning and worked forward. I'll work backwards just to
9 make it sound a little different.

10 With me here today on behalf of Gateway
11 Pipeline is Mr. David Ries, who will be the President of
12 Gateway Pipeline, as well as Mr. Tino Monaldo.

13 Hopefully, as Mr. Boudreau said, later this
14 morning the parties can begin discussions and see if the
15 intervenors or Staff or Public Counsel have issues which
16 can be addressed.

17 That's why Mr. Monaldo and Mr. Ries are here
18 today, as well as the UtiliCorp representatives.

19 And we're certainly hopeful that this matter
20 can be resolved by stipulation or Staff recommendation if
21 it is uncontested. That is certainly our preface.

22 Mr. Boudreau mentioned that there was a meeting
23 between Staff and Public Counsel and Gateway Pipeline
24 Company back a few weeks ago.

25 At that meeting a procedural schedule was

1 agreed upon, at least as between those three parties. I
2 believe since that time UtiliCorp has indicated that the
3 schedule works for UtiliCorp.

4 So it's just the intervenors that have just
5 seen the schedule -- some of them have just seen the
6 schedule today and others haven't had a chance to get a
7 copy of it, but hopefully we'll be able to get that ironed
8 out fairly quickly this morning, since so many parties are
9 in agreement.

10 Our chief concern -- and I think Mr. Boudreau
11 mentioned -- is whichever way we wind up going on this
12 thing, that we need to get a resolution by the 30th due to
13 the closing date in the sales agreement document.

14 So that's kind of why we, as well as UtiliCorp,
15 have been turning around the DR responses as quickly as
16 we've been getting them.

17 And I appreciate Staff and Public Counsel
18 working with us to get us the DRs earlier than they may
19 have in the past in some other cases.

20 We don't currently have any outstanding data
21 requests. We have responded to all of the ones we've
22 received. We have not received any from the intervenors
23 but have received them from both Staff and Public Counsel.

24 And that's about the story of it, I suppose,
25 Judge.

1 JUDGE THORNBURG: Thank you.

2 I had a question for both you and Mr. Boudreau.
3 I made this note.

4 I tentatively reserved the hearing dates for
5 August 20th and 21st, I believe.

6 Do you know if those dates are reflect--

7 MR. KEEVIL: Those are the dates, yes, that
8 were agreed upon between Public Counsel, Staff, Gateway
9 and, subsequently, UtiliCorp.

10 JUDGE THORNBURG: And if the parties after the
11 discussions today have other dates that we need hearing
12 room space, you'll need to let me know so I can clear
13 those dates and make sure we have room available.

14 MR. KEEVIL: One thing, too, I might add, if I
15 could, Judge, it is my intent -- and I think Staff and
16 Public Counsel agree with me; the court reporter may not
17 like this -- but since we are looking at such a quick
18 turnaround -- we even have brief dates that we were going
19 to propose -- and that would, in turn, necessitate,
20 probably, an expedited transcript if we have to go the
21 hearing route.

22 Again, I'm very hopeful that we'll be able to
23 stipulate this thing out without a hearing. If we go to
24 the hearing route, we'll probably be looking at a request
25 for an expedited transcript, so the briefs can all be

1 filed by sometime in early September.

2 JUDGE THORNBURG: Is there any possibility of
3 having prehearing briefs so that the posthearing briefs
4 could be shortened up?

5 MR. KEEVIL: That's possible.

6 JUDGE THORNBURG: Okay.

7 MR. KEEVIL: I mean, that would be fine with
8 me.

9 At this point, like Mr. Boudreau, I am not
10 aware of any hard-and-fast issues in this case.

11 JUDGE THORNBURG: I understand.

12 MR. KEEVIL: We've just got whether the deal
13 will not be detrimental to the public interest. If the
14 intervenors have issues, or, for that matter, Staff or
15 Public Counsel, I guess we'll learn them today, but
16 hopefully nothing that is unresolvable.

17 JUDGE THORNBURG: Very well. Thank you.

18 I think at this point I'll call on Mr. Evans
19 for Union Electric Company.

20 And as long as the court reporter can hear you,
21 you can come up to this table or in the room where you're
22 at.

23 MR. EVANS: Thank you.

24 JUDGE THORNBURG: Do you have any information
25 that you can provide me with at this point?

1 MR. EVANS: I can give you a brief summary of
2 our position.

3 Basically, Union Electric has participated in
4 this case from a customer perspective. We've been a
5 customer of Missouri Pipeline, Inc. since the inception of
6 Missouri Pipeline's operations.

7 The transportation service that Missouri
8 Pipeline Company facilities provides to us is very
9 important to our distribution system, and the quality of
10 that service is essential to AmerenUE in providing
11 reliable service to its distribution customers.

12 So in terms of our participation, we're here to
13 basically determine whether this proposed transaction
14 could result in any adverse effect on the quality of the
15 service that we are receiving from Missouri Pipeline
16 operations.

17 And hopefully through testimony and discovery
18 we can determine what effect that would be, and if we feel
19 it's adverse to us, we'll certainly act accordingly.

20 JUDGE THORNBURG: Have there been any areas
21 you've identified at this early stage that might be
22 adverse?

23 MR. EVANS: No. Frankly, I was surprised to
24 hear that discovery has already started. I guess we need
25 to go home and unload the computer and send a few out.

1 But I think that's our first duty is to find
2 out what is out there, if there is anything. Hopefully
3 there won't be, but we won't know until we ask.

4 JUDGE THORNBURG: Does Union Electric have
5 formal contracts with Missouri Gas Company or Missouri
6 Pipeline Company or UtiliCorp Pipeline Systems?

7 MR. EVANS: We have formal contracts with
8 Missouri Pipeline Company, the interstate transporter, and
9 we have two interconnections off of that system, I
10 believe, in the Wentzville, Missouri area.

11 JUDGE THORNBURG: Okay. And have you already
12 done some work to see how those contracts might be
13 affected, if at all?

14 MR. EVANS: I have Julie Heins, our business
15 person, from gas supply here. She can address that better
16 than I can.

17 JUDGE THORNBURG: I won't do that today because
18 we'll wind up taking evidence, and this is --

19 MR. EVANS: I would suspect that they've done
20 some preliminary analysis.

21 JUDGE THORNBURG: Okay. All right.

22 At this point you haven't requested a hearing.
23 Is that correct?

24 MR. EVANS: Correct.

25 JUDGE THORNBURG: And it may not be necessary,

1 depending on what you find out in further discussions or
2 discovery?

3 MR. EVANS: That's certainly correct.

4 In fact, we haven't seen the procedural
5 schedule yet.

6 JUDGE THORNBURG: All right. Thank you.

7 MR. EVANS: Thank you.

8 JUDGE THORNBURG: Mr. Comley for Laclede Gas
9 company.

10 MR. COMLEY: Mr. Pendergast called me late
11 afternoon, Judge, and during the haste of that, we did not
12 get a chance to talk about any position to inform the
13 Commission about today.

14 But I think Mr. Evans' remark for Union
15 Electric could be somewhat matched for Laclede's. It is a
16 customer of Missouri Pipeline Company, and I think its
17 intervention was because of that relationship.

18 As it said in its request for intervention, it
19 hasn't at that point made any decisions about whether it
20 opposed or was in favor of the transaction, and I think it
21 would be fair to say that it has not come to that
22 conclusion yet.

23 And I regret that I have nothing more to add to
24 that.

25 JUDGE THORNBURG: Okay.

1 As far as --

2 MR. COMLEY: I would gladly supplement that as
3 the day progresses.

4 JUDGE THORNBURG: As far as you are aware of,
5 Laclede Gas Company has not yet made a decision on whether
6 to request a hearing?

7 MR. COMLEY: No. There has been no decision on
8 that. I think if there is a hearing in this, we certainly
9 would like to participate, of course.

10 JUDGE THORNBURG: I would hope that while
11 you're here today, you get some of these contact people,
12 so that there can be ongoing discussions directly between
13 the companies.

14 MR. COMLEY: We'll do that, certainly.

15 JUDGE THORNBURG: Okay. Thank you.

16 Mary Ann Young for CMS Panhandle Eastern
17 Pipeline Company.

18 MS. YOUNG: Thank you, Judge.

19 Panhandle Eastern has not yet taken a position
20 in the case, as mentioned in our intervention.

21 Our interest is that Missouri Pipeline Company
22 is our link in the St. Louis area, so it's very important
23 to Panhandle to keep an eye on this transaction and review
24 it, with the interest of making sure that the reliability
25 is not affected.

1 And we have also not requested a hearing at
2 this point, but will be intending to continue to
3 participate.

4 JUDGE THORNBURG: Okay. Thank you.

5 And the Office of Public Counsel, Ms. O'Neill.

6 MS. O'NEILL: Yes.

7 We did meet with some representatives of
8 Gateway Pipeline and with the Staff on June 6th, and at
9 that time Public Counsel learned who this Gateway Pipeline
10 Company actually was for basically the first time.

11 And the first round of DRs that were sent out,
12 most of which, I think -- and maybe all of which -- I
13 would have to double-check -- have gotten back to the
14 office, indicated to us that there is probably going to be
15 some more DRs that have to go out.

16 We're concerned, of course, about whether or
17 not there would be a detriment to the public interest, and
18 essentially as that relates to the customers of the
19 regulated companies. And we are ongoing with our
20 investigation in that right now.

21 I don't have a position to give you completely,
22 but, you know, certainly we intend to continue to share
23 information and obtain more information and discuss this
24 with the parties.

25 You know, I think that we have all discussed

1 enough to know that negotiations would be ongoing at this
2 point. We don't know for sure whether or not we're going
3 to be going to hearing yet.

4 JUDGE THORNBURG: My understanding of this is
5 that MGC and MPC -- if we've got the -- they're intrastate
6 gas transmission pipelines?

7 MS. O'NEILL: One is an intrastate transmission
8 pipeline and one is a regulated gas LDC.

9 JUDGE THORNBURG: Okay.

10 MR. KEEVIL: No.

11 MS. O'NEILL: No, they're not?

12 MR. KEEVIL: They're both pipe -- they're both
13 pipelines.

14 MS. O'NEILL: I'm sorry. I'm getting it mixed
15 up with the facts in another case.

16 JUDGE THORNBURG: And the focus that Public
17 Counsel is taking isn't necessarily with the gas
18 distribution companies that might be served by the
19 transmission pipelines, but you're focusing on the impact
20 of the local -- on the customers of the local distribution
21 companies?

22 MS. O'NEILL: We think that the public interest
23 includes those customers, yes.

24 JUDGE THORNBURG: Okay. Thank you.

25 I would note that tentatively at this point you

1 did have the request for hearing.

2 MS. O'NEILL: And at this point our request for
3 hearing is still on file. Obviously, many times hearings
4 are requested and scheduled and negotiations continue.
5 Okay? But we're not at this time withdrawing our request
6 for a hearing either.

7 JUDGE THORNBURG: Thank you.

8 And for the Staff of the Public Service
9 Commission, Ms. Shemwell.

10 MS. SHEMWELL: Thank you, Your Honor.

11 I think that Staff had really addressed at
12 least one of its major issues in our filings, and that's
13 the gas safety issues, and both personnel, the Fort
14 Leonard Wood operation, which, I think, would be
15 considered an LDC, they distribute at the base, and the
16 support functions that UtiliCorp had provided to these
17 pipelines and how those were all going to be handled in
18 terms of the SCADA -- that is S-C-A-D-A, all in caps --
19 SCADA system, and that sort of thing, and we are also
20 doing a financial analysis.

21 And Roberta McKinney is here today for the
22 Staff. Gas safety people are at a meeting, but they have
23 had discussions with personnel at Gateway and have sent
24 their DRs. And we just received some of the DRs, I'm
25 thinking, on Monday or Tuesday and are still looking at

1 those answers.

2 At this point I think we may be looking at a
3 stipulation, but we're not far along enough to say that
4 for sure.

5 And, certainly, I think we're not particularly
6 interested in filing a nonunanimous stipulation if we can
7 get a unanimous stipulation, or at least parties that
8 don't disagree with the stipulation. But that would be
9 our preference, certainly.

10 We're not as driven as the companies are in
11 terms of a date to get this done. We understand their
12 concerns, but our concerns are different from theirs.

13 And if we can't get the discovery that we need,
14 that might pose some concerns in terms of the timing. We
15 don't know at this point. We'll certainly look at getting
16 the schedule done today, but we'll have to see how the
17 flow of information goes.

18 JUDGE THORNBURG: Okay. Thank you.

19 The procedural order we have in place at this
20 point calls for the filing of a proposed procedural
21 schedule no later than July 2nd.

22 Does anybody anticipate -- I realize you still
23 are going to have discussions, but does anybody anticipate
24 not meeting that date?

25 MR. KEEVIL: Was it the 2nd or the 3rd?

1 JUDGE THORNBURG: I believe it was the 2nd.

2 MR. KEEVIL: Okay.

3 MS. YOUNG: It is the 2nd.

4 JUDGE THORNBURG: Yes, July 2nd. That's
5 Monday.

6 And with respect to expediting this, of course,
7 I'm open to that, but if it gets into a hard spot, I'm
8 going to have to hear from the companies on what their
9 concerns are on their closing date and just how hard that
10 closing date transaction is and what kind of problems
11 you'd be experiencing if we can't hit that.

12 But I think the Staff and the other parties,
13 I'm certain they're going to cooperate together to try to
14 facilitate this, if possible.

15 MR. BOUDREAU: If I may, you mentioned about
16 meeting the July 2nd deadline date. That's this coming
17 Monday, I believe, isn't it?

18 I guess my thought on that topic would be,
19 assuming that all of parties are -- you know, we have some
20 dates to talk about today, and assuming that everybody is
21 okay with those dates, I would think that that would be a
22 date that could be met.

23 JUDGE THORNBURG: Well, I would think so, if
24 not by Friday. But I gave you the time over the weekend
25 if people needed to think about it and call you back on

1 Monday.

2 Has anyone at this point identified a need for
3 local public hearings?

4 And I would be particularly interested in
5 hearing from the Staff or Office of Public Counsel on
6 that.

7 MS. O'NEILL: At this time we're not ready to
8 tell you that for sure. At this time I haven't identified
9 any need for local public hearings, but as discovery goes
10 on, you know, something might come up.

11 JUDGE THORNBURG: Okay. And the Commission did
12 send a notice of this proceeding out, and there was some
13 publication, publicity, for that.

14 Is the Staff or Office of Public Counsel or any
15 parties aware of any contacts from local officials or
16 citizens, any letters or phone calls?

17 MS. SHEMWELL: We've had none.

18 MS. O'NEILL: At this point I have not received
19 any. I would have to check and see. I was gone a couple
20 of days.

21 JUDGE THORNBURG: Okay.

22 At this point I don't think there are any
23 outstanding motions or procedural rules. If there are,
24 I'd like you to bring them to my attention.

25 I don't see anybody raising their hand.

1 I'm going to be in the office today and
2 tomorrow. I do have another prehearing conference
3 tomorrow at ten o'clock. But if you run into any snags,
4 you can contact me. If you need me to check any dates on
5 the hearing calendar, I can do that.

6 If some hard issues arise -- and I'm okay with
7 that -- but we're going to have to get the procedural
8 schedule filed, so we have the structure, that we have
9 deadlines for people to work towards.

10 MR. BOUDREAU: Right.

11 JUDGE THORNBURG: And so I'll be looking
12 forward to that Monday. And I'll try to turn around an
13 order on that as quickly as possible.

14 So you-all know what you're working with, and I
15 thank you very much for your time and attention today, and
16 I hope your discussions the rest of the morning are
17 productive.

18 Thank you.

19 WHEREUPON, the Prehearing Conference was
20 concluded.

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