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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Prehearing Conference

March 13, 2000
Jefferson City, Missouri
Volume 1

In the Matter of the Application)
of Lake Region Water & Sewer)
Company for a Certificate of)
Public Convenience and Necessity)
Authorizing It to Construct,)
Install, Own, Operate, Control,) Case No. SA-2000-295
Manage, and Maintain a)
Centralized Sewage Collection)
and Treatment System in an Area)
in an Unincorporated Area in)
Camden County, Missouri, as an)
Expansion of Its Existing)
Certificated Area.)

VICKY RUTH, Presiding,
REGULATORY LAW JUDGE.

REPORTED BY:
KELLENE K. FEDDERSEN, CSR, RPR
ASSOCIATED COURT REPORTERS, INC.

1 APPEARANCES:

2 GARRY W. DUFFY, Attorney at Law
3 Brydon, Swearingen & England, P.C.
312 East Capitol Avenue
4 Jefferson City, Missouri 65102-0456

5 FOR: Lake Region Water & Sewer Company.

6 JOHN W. ELLINGER, Attorney at Law
708 East McCarty Street
7 Jefferson City, MO 65101

8 FOR: Southwood Shores Condo Owners Association.

9 LARRY W. DORITY, Attorney at Law
Fischer & DORITY
101 West McCarty, Suite 215
10 Jefferson City, Missouri 65101

11 FOR: Four Seasons Lakesites, Inc.

12 JOHN LANDWEHR, Attorney at Law
Cook, Vetter, Doerhoff & Landwehr
13 231 Madison Street
Jefferson City, MO 65101

14 FOR: The Willows Condominium Owners
15 Association.
16 Bristol Bay Condominium Owners
17 Association, Inc.
18 Regatta Bay Condominium Owners
Association, Inc.
The Falls Condominium Owners Association.

19 SHANNON COOK, Assistant Public Counsel
P.O. Box 7800
20 Jefferson City, Missouri 65102-7800

21 FOR: Office of the Public Counsel
and the Public.

22 CLIFF E. SNODGRASS, Senior General Counsel
P.O. Box 360
23 Jefferson City, Missouri 65102

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

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P R O C E E D I N G S

JUDGE RUTH: On the record.

Good morning, and welcome to the early prehearing conference for Case No. SA-2000-295, In the Matter of the Application of Lake Region Water & Sewer Company for a Certificate of Public Convenience and Necessity Authorizing it to Construct, Install, Own, Operate, Control, Manage and Maintain a Centralized Sewage Collection and Treatment System in an Area of an Unincorporated Area of Camden County, Missouri as an Expansion of its Certificated Area.

My name is Vicky Ruth, and I'll be the presiding officer today. I'd like to begin by taking entries of appearance. We'll let Lake Region Water & Sewer go first.

MR. DUFFY: Gary W. Duffy, Brydon, Swearngen & England, P.C., P.O. Box 456, Jefferson City, Missouri 65102, appearing for Lake Region Water & Sewer Company.

MR. RITTER: Fritz Ritter.

JUDGE RUTH: For the record, do you want to go ahead and state that you're here?

MR. RITTER: Sure. Fritz Ritter, R-i-t-t-e-r, with Lake Region Water & Sewer.

JUDGE RUTH: Okay. We'll just go down the

1 row.

2 MR. LANDWEHR: John Landwehr, Cook, Vetter,
3 Doerhoff & Landwehr, 231 Madison Street, Jefferson,
4 65101, for Intervenor Bristol Bay Condominium Owners
5 Association, Inc., The Falls Condominium Owners
6 Association, Inc., and Regatta Bay Owners Condominium
7 Association, Inc., and erstwhile intervenor The
8 Willows Condominium Owners Association, Inc.

9 MR. ELLINGER: John W. Ellinger,
10 E-l-l-i-n-g-e-r, 708 East McCarty, Jeff City, 65101,
11 representing Intervenor Southwood Shores Condo Owners
12 Association, Inc.

13 MR. SNODGRASS: Judge, Cliff Snodgrass
14 appearing on behalf of the Staff of the Missouri
15 Public Service Commission. My address of record is
16 Truman State Office Building, Room 530, 301 West High
17 Street, P.O. Box 360, Jefferson City, Missouri 65102.

18 I have two staff members here, Jim Merciel
19 and Martin Hummel, to participate in the prehearing
20 conference.

21 MR. DORITY: Larry DORITY with the law firm
22 of Fischer & DORITY, PC, 101 West McCarty, Suite 215,
23 Jefferson City, Missouri 65101, appearing on behalf of
24 Intervenor Four Seasons Lakesites, Inc.

25 MS. COOK: Shannon Cook, P.O. Box 7800,

1 Jefferson City, Missouri 65102-7800, on behalf of the
2 Office of the Public Counsel and the Public.

3 JUDGE RUTH: Thank you. Okay. I would like
4 to note on the record that on March 6th The Willows
5 Condo Owners Association filed an Application to
6 Intervene Out of Time, and the Commission issued an
7 Order on March 8th which allows The Willows to be
8 present and participate in today's hearing. That's
9 pending the final resolution that the Commission will
10 make on that application.

11 The parties have until March 16th to respond
12 to the late application to intervene if they wish to
13 do so. Before we went on the record, I asked the
14 parties if anyone planned to make an on-the-record
15 statement as to that Application to Intervene, and the
16 parties indicated no.

17 And we also have on March 20th, Four Seasons
18 Lakesite, Incorporated filed a late Application to
19 Intervene, and the parties --

20 MR. DUFFY: Your Honor, I don't think it was
21 March 20th.

22 JUDGE RUTH: I'm sorry. It was March 10th,
23 and the parties have until March 20th then to respond
24 to that application.

25 Are there any other preliminary matters that

1 we need to address at this time?

2 Okay. Then seeing none, I'll just state
3 that this early prehearing conference was scheduled to
4 give the parties an opportunity to discuss, define and
5 possibly even resolve some of the issues that are
6 presented in this case or at the very least to at
7 least discuss and hopefully agree on a proposed
8 procedural schedule.

9 The Commission February 24th had granted the
10 parties until March 23rd to file that proposed
11 procedural schedule, but since we've had several late
12 Applications to Intervene and there will be perhaps
13 responses to that, I'd like to extend that date.
14 Since it was on the 23rd, I'm going to extend it 'til
15 April 6th.

16 That just means the proposed procedural
17 schedule must be filed by then unless you file a
18 motion asking for more time. Of course, if you wish
19 to file it earlier, you're certainly welcome to do so.

20 MR. SNODGRASS: Judge, may I ask you for the
21 record, is that a filing that Staff will make in this
22 case and try to get an agreement between the parties
23 or is each party free to file their own suggested
24 procedural schedule?

25 JUDGE RUTH: If you can get an agreement, it

1 will be best if Staff files one. If the parties are
2 unable to agree, if it's contested, then you can
3 either some of you join in and someone else file an
4 objection, however that works.

5 MR. SNODGRASS: All right. I understand,
6 Judge. Thank you.

7 JUDGE RUTH: And we're about ready to
8 conclude the on-the-record portion, then. I'm going
9 to go to my office. I'll be there if you have any
10 questions or if you need me. And just so I can get a
11 sense of how things are going today, I'd appreciate it
12 if someone either would drop by my office when you
13 conclude or give me a phone call. You can call from
14 JoAnn's desk out at the reception area out front.

15 Is there anything else we need to discuss
16 before we go off the record? Seeing no comments, then
17 this will conclude the on-the-record portion. Thank
18 you very much.

19 WHEREUPON, the recorded portion of the
20 prehearing conference was concluded.

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