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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

PREHEARING CONFERENCE

January 18, 2000  
Jefferson City, Missouri  
Volume 2

GST Steel Company,	)	
	)	
Complainant,	)	
	)	Case No. EC-99-553
v.	)	
	)	
Kansas City Power & Light	)	
Company,	)	
	)	
Respondent.	)	

BEFORE:

KEVIN A. THOMPSON, Presiding,  
DEPUTY CHIEF REGULATORY LAW JUDGE.

REPORTED BY:

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1 APPEARANCES:  
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4 Fischer & DORITY, P.C.  
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6 -and-  
7 GERALD A. REYNOLDS, Staff Attorney  
Kansas City Power & Light Company  
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-and-  
10  
11 TIMOTHY G. SWENSEN, Attorney at Law  
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12 Kansas City, Missouri 64108  
13 FOR: Kansas City Power & Light Company.  
14 KURT U. SCHAEFER, Attorney at Law  
Lathrop & Gage  
15 326 East Capitol Avenue  
Jefferson City, Missouri 65101  
16  
-and-  
17  
18 JAMES W. BREW, Attorney at Law  
Brickfield, Burchette & Ritts, P.C.  
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19 Washington, D.C. 20007  
20 FOR: GST Steel Company.  
21 JOHN B. COFFMAN, Deputy Public Counsel  
P.O. Box 7800  
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23 FOR: Office of Public Counsel and the Public.  
24  
25

1 APPEARANCES Continued:

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3 P.O. Box 360  
Jefferson City, Missouri 65102

4 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 THOMPSON: We're here for a prehearing

4 conference today in the matter of GST Steel Company,

5 Complainant, versus Kansas City Power & Light Company,

6 Respondent, Case No. EC-99-553.

7                               My name is Kevin Thompson. I am the

8 Regulatory Law Judge presiding over this matter.

9                               We'll go ahead and take oral entries of

10 appearance at this time, starting with Mr. Coffman.

11                              MR. COFFMAN: John B. Coffman, appearing

12 on behalf the Office of the Public Counsel, P.O.

13 Box 7800, Jefferson City, Missouri, 65102.

14                              JUDGE THOMPSON: Thank you.

15                              Sir?

16                              MR. SCHAEFER: Kurt Schaefer, for GST Steel

17 Company, with the law firm of Lathrop & Gage, 326 East

18 Capitol Avenue, Jefferson City, Missouri, 65101.

19                              JUDGE THOMPSON: Thank you.

20                              MR. BREW: James Brew, for GST Steel

21 Company, with the law firm of Brickfield, Burchette,

22 B-u-r-c-h-e-t-t-e, and Ritts, 1025 Thomas Jefferson

23 Street, Northwest, Washington, D.C., 20007.

24                              JUDGE THOMPSON: Thank you, Mr. Brew.

25                              MS. SHEMWELL: Lera Shemwell, representing

1 the Staff of the Missouri Public Service Commission,  
2 Post Office Box 360, Jefferson City, Missouri, 65102.

3 JUDGE THOMPSON: Thank you.

4 Mr. Fischer?

5 MR. FISCHER: Let the record reflect the  
6 appearance on behalf of Kansas City Power & Light  
7 Company of James M. Fischer and Larry W. Dority of the  
8 law firm of Fischer & Dority, P.C., 101 West McCarty  
9 Street, Suite 215, Jefferson City, Missouri, 65101.

10 And, also, I have co-counsel, Mr. Tim  
11 Swensen, from the law firm of Blackwell, Sanders,  
12 Peper & Martin, and in-house counsel for Kansas City  
13 Power & Light, Gerald Reynolds.

14 JUDGE THOMPSON: Thank you.

15 Anyone else?

16 (No response.)

17 JUDGE THOMPSON: Very well. Are there any  
18 preliminary matters to take up at this time with  
19 respect to the show cause hearing this afternoon?

20 (No response.)

21 JUDGE THOMPSON: I believe the nature of  
22 presentation and order has been fixed in the  
23 procedural notice that went out. Okay.

24 MS. SHEMWELL: Judge, I might just ask, are  
25 you going to --

1 JUDGE THOMPSON: Yes.

2 MS. SHEMWELL: -- have opening statements  
3 and then presentations? Are you going to break it up  
4 into two parts?

5 JUDGE THOMPSON: What a good question that  
6 is.

7 We have about three and a half hours, so I  
8 did anticipate that we would have brief opening  
9 statements, and then GST would make their  
10 presentation. Each of the other parties would have an  
11 opportunity. I believe it is OPC -- excuse me --  
12 Public Counsel, and then Staff, and then Kansas City  
13 Power & Light, and then the last word would come again  
14 from GST. Then we would adjourn.

15 The Commission will take the matter under  
16 advisement. The next Commission agenda meeting is not  
17 this Thursday, but, rather, next Tuesday, so the  
18 earliest that the Commissioners would have an  
19 opportunity to discuss the matter and reach a  
20 conclusion would be next Tuesday.

21 I would anticipate a written order probably  
22 issuing on Tuesday, but, of course, that's not up to  
23 me. That's up to the Commissioners.

24 At that time, we will also advise you as to  
25 the status of the procedural schedule.

1           MR. FISCHER: Judge?

2           JUDGE THOMPSON: Sir.

3           MR. FISCHER: As I understood the order, it

4 indicated it would take the format of an on-the-record

5 presentation --

6           JUDGE THOMPSON: That is correct.

7           MR. FISCHER: -- similar to, I suppose,

8 whenever we present a stipulation and agreement to the

9 Commission.

10           Is it your anticipation that we'll follow

11 that format where the Commissioners will actively

12 participate and ask questions?

13           JUDGE THOMPSON: Yes, sir.

14           MR. FISCHER: And I wasn't anticipating an

15 evidentiary presentation, but I wasn't certain. We

16 certainly have people here that can answer questions.

17           JUDGE THOMPSON: You are absolutely right,

18 Mr. Fischer. I would expect to hear from counsel, and

19 I would expect the Commissioners to be actively posing

20 questions to counsel.

21           I do not anticipate an evidentiary

22 presentation, but, on the other hand, if someone moves

23 the Commission to receive evidence, I don't think that

24 we can foreclose that possibility. Consequently, the

25 show cause order and the procedural notice did not

1     foreclose that possibility. But at this time I do not  
2     anticipate taking testimony.

3                 MR. FISCHER: As I understood the order, it  
4     would basically have GST's counsel making a  
5     presentation, Staff and Public Counsel, followed by  
6     Kansas City Power & Light, with an opportunity to  
7     close by the GST counsel.

8                 JUDGE THOMPSON: Yes, sir.

9                 MR. FISCHER: In the meantime, I'm sure  
10    we'll have questions from the Commissioners.

11                JUDGE THOMPSON: That's exactly what I  
12    anticipate.

13                MR. FISCHER: Okay.

14                JUDGE THOMPSON: And I also anticipate no  
15    post-hearing briefing. The parties have filed  
16    suggestions as of last Thursday, I believe, and so --  
17    now, if someone moves for an opportunity to submit  
18    something after the hearing, obviously, we would  
19    consider that. But at this time I do not -- and  
20    without -- in the absence of any such motion, there  
21    would be no post-hearing briefing.

22                Any further questions?

23                (No response.)

24                JUDGE THOMPSON: Now, I know you are also  
25    here to discuss the final list of issues, list of



1 witnesses for cross-examination, and those things for  
2 the evidentiary hearing. I will leave you to do those  
3 things.

4           There being nothing further, the  
5 on-the-record portion of the prehearing conference  
6 shall be recessed. We will see you at 1:30.

7           Thank you very much.

8           WHEREUPON, the on-the-record portion of the  
9 prehearing conference was concluded.

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