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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Prehearing Conference

January 26, 1999
Jefferson City, Missouri
Volume 1

Staff of the Missouri Public)
Service Commission,)
)
Complainant,)
)
vs.) Case No. SC-99-134
)
Imperial Utility Corporation,)
)
Respondent.)

Staff of the Missouri Public)
Service Commission,)
)
Complainant,)
)
vs.) Case No. SC-99-135
)
House Springs Sewer Company,)
)
Respondent.)

BILL HOPKINS, Presiding,
REGULATORY LAW JUDGE.

REPORTED BY:

KELLENE K. FEDDERSEN, CSR, RPR
ASSOCIATED COURT REPORTERS, INC.

1 APPEARANCES:

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5 FOR: Office of the Public Counsel
6 and the Public.

7 DAVID J. STUEVEN, Assistant General Counsel
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9 Jefferson City, Missouri 65102

10 FOR: Staff of the Missouri Public
11 Service Commission.

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

2 JUDGE HOPKINS: This is January 26th, 1999;
3 Bill Hopkins. We're here on SC-99-134 and SC-99-135
4 prehearings.

5 If you'd go around the table and make your
6 entries of appearance for the court reporter, please,
7 and also I want to make sure that you file these
8 entries of appearance. Go ahead.

9 MR. STUEVEN: David Stueven on behalf of
10 Staff. My address is 360 -- P.O. Box 360, Jefferson
11 City, Missouri 65102.

12 MS. COOK: Shannon Cook for Public Counsel
13 and the Public, P.O. Box 7800, Jefferson City,
14 Missouri 65102-7800.

15 JUDGE HOPKINS: Okay. The company, which is
16 Imperial Utility Corporation, the Respondent in
17 SC-99-134, is not here. The company, which is House
18 Springs Sewer Company in SC-99-135, is not here.
19 We've heard nothing from the attorney. We've heard
20 nothing from the company.

21 So I'll just go ahead and ask Staff what it
22 is you're wanting to accomplish in both of these
23 cases.

24 MR. STUEVEN: Okay. First of all, in
25 SC-99-134, there is a change in the assessments on

1 fiscal year '99. The total amount listed in the
2 Complaint is \$66,692.86. The Commission has changed
3 the assessments for '99. That amount should be
4 \$55,325.72. And the balance due as of 12/29/98 would
5 be \$27,662.86.

6 JUDGE HOPKINS: Did you file a correction?

7 MR. STUEVEN: I'll file a change, yeah. And
8 there's also a similar change in the House Springs
9 complaint, 99-135, just so everyone's currently
10 working off the same numbers. The amount for House
11 Springs for fiscal year '99 for the year should be
12 \$22,786.77, and the assessments due as of 12/29/98
13 would have been \$11,393.38.

14 JUDGE HOPKINS: It's my understanding that
15 both of these companies are in receivership.

16 MR. STUEVEN: Yes. And also Imperial
17 Utility Corporation is a docketed case for sale of
18 assets. That case is SM-99-287.

19 JUDGE HOPKINS: Is that where you would plan
20 to get this money from these people?

21 MR. STUEVEN: Yes. And there have been
22 informal discussions with the company in reference to
23 getting funds from the sale to pay off the
24 assessments.

25 JUDGE HOPKINS: Will there be enough funds

1 to pay off those assessments? Do you know?

2 MR. STUEVEN: Yes.

3 JUDGE HOPKINS: There will be?

4 MR. STUEVEN: Right. The sticking point as
5 far as I can tell right now on this is we'd like them
6 to -- well, let me go back, step back a couple steps
7 here.

8 In SC-96-427 the Commission treated both
9 Imperial Utility Corporation and House Springs Sewer
10 Company as one entity for ratemaking purposes, and in
11 that rate case they took into account the assessments
12 that would be paid by both companies in setting the
13 rates.

14 Both companies shortly after this went into
15 effect stopped paying their assessments. What we
16 would like them to do, since Imperial Utility
17 Corporation is almost sold or getting close to being
18 sold, that they would pay both assessments out of that
19 sale, and that's what we were hoping to work out
20 today, but --

21 JUDGE HOPKINS: You don't have any idea when
22 this sale will take place?

23 MS. COOK: The last I heard, they wanted to
24 close yesterday.

25 MR. STUEVEN: Right. They were required to

1 place an advertisement in the local weekly newspaper.

2 If that has been -- there was no time frame on it.

3 MS. COOK: They said as soon as you can.

4 Well, this paper runs every week, and so they could
5 only put it in -- they figured out the other day that
6 the soonest they could get it in would be another week
7 and a half or something because of the way the
8 deadlines for the paper ran, and so --

9 MR. STUEVEN: I would assume that the
10 Commission probably wouldn't move forward on it until
11 a couple weeks at least after the announcement in the
12 paper, I would guess. That I don't know. There's not
13 been a deadline set on that right now.

14 But I would assume that it would go
15 within -- if everything goes smoothly, it would go
16 within the next 30 to 45 days.

17 MS. COOK: Oh, I don't have -- I don't even
18 know if it's going to take place at all for sure.

19 MR. STUEVEN: Well, yeah. I mean, it could
20 always fall through, but my guess would be the 30 to
21 45 days time frame on that, though that may be
22 optimistic depending on what happens with the public
23 notice. That's if everything goes smoothly.

24 JUDGE HOPKINS: Okay. On SC-99-240, which
25 this isn't really a prehearing on that case, but I

1 just wanted to let you know that I asked this same
2 attorney to file a responsive pleading on that. He
3 hasn't filed one.

4 I'm going to check on these two cases that
5 we're doing today, 134 and 135, in about 45 days to
6 see if that sale has taken place.

7 Is there anything else that needs to go on
8 the record? Thank you. We're off the record.

9 WHEREUPON, the recorded portion of the
10 prehearing conference was concluded.

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