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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS
Discovery Conference
June 18, 2012
Jefferson City, Missouri
Volume 3

In the Matter of Missouri-American)
Water Company For a Certificate of)
Convenience and Necessity)
Authorizing it to Install, Own,) File No. WA-2012-0066,
Acquire, Construct, Operate,) et al.
Control, Manage and Maintain Water)
And Sewer Systems in Christian and)
Taney Counties, Missouri)

HAROLD STEARLEY, Presiding,
DEPUTY CHIEF REGULATORY LAW JUDGE.

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APPEARANCES:

DEAN L. COOPER, Attorney at Law
Brydon, Swearngen & England, P.C.
312 East Capitol
P.O. Box 456
Jefferson City, MO 65102
(573)635-7166
deanc@brydonlaw.com
FOR: Missouri-American Water Company.

STUART CONRAD, Attorney at Law
Finnegan, Conrad & Peterson
3100 Broadway, Suite 209
1209 Penntower Officer Center
Kansas City, MO 64111
(816)753-1122
stucon@fcplaw.com
FOR: Ag Processing.

CHRISTINA BAKER, Assistant Public Counsel
P.O. Box 2230
200 Madison Street, Suite 650
Jefferson City, MO 65102
(573)751-4857
FOR: Office of the Public Counsel
and the Public.

RACHEL LEWIS, Deputy Counsel/Water
GOLDIE TOMPKINS, Legal Counsel
P.O. Box 360
200 Madison Street
Jefferson City, MO 65102
(573)751-3234
FOR: Staff of the Missouri Public
Service Commission.

REPORTED BY:
KELLENE K. FEDDERSEN, CSR, RPR, CCR
MIDWEST LITIGATION SERVICES
711 NORTH ELEVENTH STREET
ST. LOUIS, MO 63101
314-644-2191

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

2 (WHEREUPON, the discovery conference began
3 at 9:00 a.m.)

4 JUDGE STEARLEY: Good morning. It's
5 Monday, June 18th, 2012. The Commission set this time for
6 a discovery conference in File No. WA-2012-0066, captioned
7 as in the matter of Missouri-American Water Company for
8 certificate of convenience and necessity authorizing it to
9 install, own, acquire, construct, operate, control, manage
10 and maintain water and sewer systems in Christian and
11 Taney Counties, Missouri.

12 My name is Harold Stearley, and I'm the
13 presiding officer in this matter. At this time we'll take
14 entries of appearance, starting with Missouri-American.

15 MR. COOPER: Dean Cooper appearing on
16 behalf of Missouri-American Water Company. The court
17 reporter has the address.

18 JUDGE STEARLEY: Thank you, Mr. Cooper.
19 For Ag Processing?

20 MR. CONRAD: Your Honor, let the record
21 show Stuart Conrad of Finnegan, Conrad & Peterson in
22 Kansas City appearing for Ag Processing by courtesy of the
23 telephone.

24 JUDGE STEARLEY: Thank you, Mr. Conrad.
25 For the Office of Public Counsel?

1 MS. BAKER: Thank you. Christina Baker
2 appearing on behalf of the Office of the Public Counsel.

3 JUDGE STEARLEY: Thank you, Ms. Baker. And
4 for the Commission Staff?

5 MS. LEWIS: Rachel Lewis and Goldie
6 Tompkins on behalf of Staff of the Missouri Public Service
7 Commission. We've already submitted our addresses as
8 well.

9 JUDGE STEARLEY: Thank you. I know there's
10 a pending motion on extending a couple of the procedural
11 deadlines, and there will be a written order being issued
12 soon, but those extensions have been granted.

13 MS. LEWIS: Thank you, Judge.

14 JUDGE STEARLEY: No problem with that. Are
15 there any issues we need to take up? I know we have
16 hearing next week.

17 MR. CONRAD: Judge, the only thing that I
18 wanted to bring up, and it may be very quickly dealt with,
19 we sent out some data requests to Staff, the company, and
20 also a couple to Public Counsel. My date was the 18th,
21 but I don't recall if they got in before five, in which
22 case it might be the 12th.

23 But in any event, I think the question
24 really in my mind with respect to MAWC and Public Counsel
25 was, if those were outstanding but responses are not yet

1 due, I'm reading the Order to be that any response or
2 objection would not be covered or expected to be covered
3 in this conference because at this point I don't think
4 responses are due. It's possible that if it was done on
5 the 12th, it could be that objections would be due and at
6 least at this point I haven't gotten it from either of the
7 parties.

8 JUDGE STEARLEY: We'll just eliminate that
9 possibility and I will extend the last date to serve
10 discovery requests to the 12th just in case there's one
11 out on the 12th, and I assume the parties are in the
12 process of responding to those.

13 MS. BAKER: Yes, we are.

14 MR. COOPER: Yes.

15 MR. CONRAD: And Staff had given us a
16 response, actually, I believe theirs was dated the 15th,
17 and there were a couple of objections in it, but they had
18 gone ahead to say, without waiving, the Staff provides the
19 following more specific responses. And I think at this
20 point we probably would just let those ride with the case.
21 So I'm not intending to raise anything with respect to
22 those.

23 MR. COOPER: And -- I'm sorry, Stu. Let me
24 say this. I think by our count, the fifth business day to
25 object is today. I'm not at this point anticipating any

1 objections, but if my client decides otherwise before the
2 end of the day and that becomes an issue, certainly we
3 will make ourselves available as soon as need be to deal
4 with that with you, your Honor. But like I say, right now
5 I don't anticipate any. I would anticipate responses
6 being provided.

7 JUDGE STEARLEY: If there are some
8 problems, e-mail or call and we can do a telephone
9 conference before next week's hearing.

10 MR. COOPER: Great.

11 MR. CONRAD: That would be fine, your
12 Honor.

13 JUDGE STEARLEY: Is there anything else we
14 need to take up?

15 MS. LEWIS: Staff doesn't have anything.

16 JUDGE STEARLEY: All right. We will go off
17 the record. If you-all need to have any discussions, you
18 may certainly feel free to do so.

19 (WHEREUPON, the discovery conference
20 concluded at 9:05 a.m.)

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C E R T I F I C A T E

STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

I, Kellene K. Feddersen, Certified
Shorthand Reporter with the firm of Midwest Litigation
Services, do hereby certify that I was personally present
at the proceedings had in the above-entitled cause at the
time and place set forth in the caption sheet thereof;
that I then and there took down in Stenotype the
proceedings had; and that the foregoing is a full, true
and correct transcript of such Stenotype notes so made at
such time and place.

Given at my office in the City of
Jefferson, County of Cole, State of Missouri.

Kellene K. Feddersen, RPR, CSR, CCR

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<p style="text-align: center;">A</p> <p>above-entitled 13:8 acquire 7:17 9:9 actually 11:16 address 9:17 addresses 10:7 Ag 8:10 9:19,22 ahead 11:18 al 7:17 already 10:7 anticipate 12:5,5 anticipating 11:25 anything 11:21 12:13,15 appearance 9:14 APPEARAN... 8:1 appearing 9:15 9:22 10:2 Assistant 8:11 assume 11:11 Attorney 8:2,6 authorizing 7:16 9:8 available 12:3 a.m 9:3 12:20</p> <hr/> <p style="text-align: center;">B</p> <p>Baker 8:11 10:1 10:1,3 11:13 becomes 12:2 before 10:21 12:1,9 began 9:2 behalf 9:16 10:2 10:6 being 10:11 12:6 believe 11:16 Box 8:3,11,16 bring 10:18 Broadway 8:7 Brydon 8:2 business 11:24</p> <hr/> <p style="text-align: center;">C</p> <p>C 9:1 13:1,1</p>	<p>call 12:8 Capitol 8:3 caption 13:9 captioned 9:6 case 10:22 11:10 11:20 cause 13:8 CCR 8:21 13:20 Center 8:8 certainly 12:2 12:18 certificate 7:14 9:8 Certified 13:5 certify 13:7 CHIEF 7:24 Christian 7:19 9:10 Christina 8:11 10:1 City 7:9 8:4,8,12 8:17 9:22 13:14 client 12:1 Cole 13:4,15 Commission 7:2 8:18 9:5 10:4,7 company 7:14 8:5 9:7,16 10:19 concluded 12:20 conference 7:7 9:2,6 11:3 12:9 12:19 Conrad 8:6,7 9:20,21,21,24 10:17 11:15 12:11 construct 7:17 9:9 control 7:18 9:9 convenience 7:15 9:8 Cooper 8:2 9:15 9:15,18 11:14 11:23 12:10 correct 13:12 Counsel 8:11,13</p>	<p>8:15 9:25 10:2 10:20,24 Counsel/Water 8:15 count 11:24 Counties 7:20 9:11 County 13:4,15 couple 10:10,20 11:17 court 9:16 courtesy 9:22 covered 11:2,2 CSR 8:21 13:20</p> <hr/> <p style="text-align: center;">D</p> <p>D 9:1 data 10:19 date 10:20 11:9 dated 11:16 day 11:24 12:2 deadlines 10:11 deal 12:3 dealt 10:18 Dean 8:2 9:15 deanc@brydo... 8:5 decides 12:1 Deputy 7:24 8:15 discovery 7:7 9:2,6 11:10 12:19 discussions 12:17 done 11:4 down 13:10 due 11:1,4,5</p> <hr/> <p style="text-align: center;">E</p> <p>E 9:1,1 13:1,1 East 8:3 either 11:6 ELEVENTH 8:23 eliminate 11:8 end 12:2 England 8:2 entries 9:14</p>	<p>et 7:17 event 10:23 expected 11:2 extend 11:9 extending 10:10 extensions 10:12 e-mail 12:8</p> <hr/> <p style="text-align: center;">F</p> <p>F 13:1 Feddersen 8:21 13:5,20 feel 12:18 fifth 11:24 File 7:16 9:6 fine 12:11 Finnegan 8:7 9:21 firm 13:6 five 10:21 following 11:19 foregoing 13:11 forth 13:9 free 12:18 from 11:6 full 13:11</p> <hr/> <p style="text-align: center;">G</p> <p>G 9:1 given 11:15 13:14 go 12:16 Goldie 8:15 10:5 gone 11:18 Good 9:4 gotten 11:6 granted 10:12 Great 12:10</p> <hr/> <p style="text-align: center;">H</p> <p>Harold 7:23 9:12 hearing 10:16 12:9 Honor 9:20 12:4 12:12</p> <hr/> <p style="text-align: center;">I</p> <p>install 7:16 9:9</p>	<p>intending 11:21 issue 12:2 issued 10:11 issues 10:15</p> <hr/> <p style="text-align: center;">J</p> <p>Jefferson 7:9 8:4 8:12,17 13:15 Judge 7:24 9:4 9:18,24 10:3,9 10:13,14,17 11:8 12:7,13 12:16 June 7:8 9:5 just 11:8,10,20</p> <hr/> <p style="text-align: center;">K</p> <p>K 8:21 13:5,20 Kansas 8:8 9:22 Kellene 8:21 13:5,20 know 10:9,15</p> <hr/> <p style="text-align: center;">L</p> <p>L 8:2 last 11:9 Law 7:24 8:2,6 least 11:6 Legal 8:15 let 9:20 11:20,23 Lewis 8:15 10:5 10:5,13 12:15 like 12:4 Litigation 8:22 13:6 LOUIS 8:24</p> <hr/> <p style="text-align: center;">M</p> <p>made 13:12 Madison 8:12,16 maintain 7:18 9:10 make 12:3 manage 7:18 9:9 matter 7:13 9:7 9:13 MAWC 10:24 may 10:18 12:18 Midwest 8:22</p>
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<p>13:6 might 10:22 mind 10:24 Missouri 7:1,9 7:20 8:18 9:11 10:6 13:2,15 Missouri-Ame... 7:13 8:5 9:7,14 9:16 MO 8:4,8,12,17 8:24 Monday 9:5 more 11:19 morning 9:4 motion 10:10</p> <hr/> <p style="text-align: center;">N</p> <p>N 9:1 name 9:12 necessity 7:15 9:8 need 10:15 12:3 12:14,17 next 10:16 12:9 NORTH 8:23 notes 13:12</p> <hr/> <p style="text-align: center;">O</p> <p>O 9:1 object 11:25 objection 11:2 objections 11:5 11:17 12:1 off 12:16 office 8:13 9:25 10:2 13:14 officer 8:8 9:13 one 11:10 only 10:17 operate 7:17 9:9 order 10:11 11:1 otherwise 12:1 ourselves 12:3 out 10:19 11:11 outstanding 10:25 own 7:16 9:9</p> <hr/> <p style="text-align: center;">P</p>	<p>P 9:1 parties 11:7,11 pending 10:10 Penntower 8:8 personally 13:7 Peterson 8:7 9:21 place 13:9,13 point 11:3,6,20 11:25 possibility 11:9 possible 11:4 present 13:7 presiding 7:23 9:13 probably 11:20 problem 10:14 problems 12:8 procedural 10:10 proceedings 7:6 13:8,11 process 11:12 Processing 8:10 9:19,22 provided 12:6 provides 11:18 Public 7:2 8:11 8:13,14,18 9:25 10:2,6,20 10:24 P.C 8:2 P.O 8:3,11,16</p> <hr/> <p style="text-align: center;">Q</p> <p>question 10:23 quickly 10:18</p> <hr/> <p style="text-align: center;">R</p> <p>R 9:1 13:1 Rachel 8:15 10:5 raise 11:21 reading 11:1 really 10:24 recall 10:21 record 9:20 12:17 REGULATO... 7:24</p>	<p>REPORTED 8:20 reporter 9:17 13:6 requests 10:19 11:10 respect 10:24 11:21 responding 11:12 response 11:1,16 responses 10:25 11:4,19 12:5 ride 11:20 right 12:4,16 RPR 8:21 13:20</p> <hr/> <p style="text-align: center;">S</p> <p>S 9:1 sent 10:19 serve 11:9 Service 7:2 8:18 10:6 Services 8:22 13:7 set 9:5 13:9 sewer 7:19 9:10 sheet 13:9 Shorthand 13:6 show 9:21 some 10:19 12:7 soon 10:12 12:3 sorry 11:23 specific 11:19 ss 13:3 ST 8:24 Staff 8:18 10:4,6 10:19 11:15,18 12:15 starting 9:14 State 7:1 13:2,15 Stearley 7:23 9:4,12,18,24 10:3,9,14 11:8 12:7,13,16 Stenotype 13:10 13:12 Street 8:12,16 8:23</p>	<p>Stu 11:23 Stuart 8:6 9:21 stucon@fcpla... 8:9 submitted 10:7 Suite 8:7,12 Swearengen 8:2 systems 7:19 9:10</p> <hr/> <p style="text-align: center;">T</p> <p>T 13:1,1 take 9:13 10:15 12:14 Taney 7:20 9:11 telephone 9:23 12:8 Thank 9:18,24 10:1,3,9,13 theirs 11:16 thereof 13:9 thing 10:17 think 10:23 11:3 11:19,24 time 9:5,13 13:9 13:13 today 11:25 Tompkins 8:15 10:6 transcript 7:6 13:12 true 13:11</p> <hr/> <p style="text-align: center;">V</p> <p>very 10:18 Volume 7:10</p> <hr/> <p style="text-align: center;">W</p> <p>waiving 11:18 wanted 10:18 water 7:14,18 8:5 9:7,10,16 WA-2012-0066 7:16 9:6 week 10:16 week's 12:9 well 10:8 were 10:25 11:17</p>	<p>we'll 9:13 11:8 We've 10:7 written 10:11</p> <hr/> <p style="text-align: center;">Y</p> <p>you-all 12:17</p> <hr/> <p style="text-align: center;">1</p> <p>12th 10:22 11:5 11:10,11 1209 8:8 15th 11:16 18 7:8 18th 9:5 10:20</p> <hr/> <p style="text-align: center;">2</p> <p>200 8:12,16 2012 7:8 9:5 209 8:7 2230 8:11</p> <hr/> <p style="text-align: center;">3</p> <p>3 7:10 3100 8:7 312 8:3 314-644-2191 8:25 360 8:16</p> <hr/> <p style="text-align: center;">4</p> <p>456 8:3</p> <hr/> <p style="text-align: center;">5</p> <p>573)635-7166 8:4 573)751-3234 8:17 573)751-4857 8:13</p> <hr/> <p style="text-align: center;">6</p> <p>63101 8:24 64111 8:8 650 8:12 65102 8:4,12,17</p> <hr/> <p style="text-align: center;">7</p> <p>711 8:23</p> <hr/> <p style="text-align: center;">8</p>
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<p>816)753-1122 8:9</p> <hr/> <p>9</p> <hr/> <p>9:00 9:3 9:05 12:20</p>				
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