

1 STATE OF MISSOURI  
2 PUBLIC SERVICE COMMISSION

3  
4  
5 PREHEARING CONFERENCE

6  
7 July 16, 2003  
8 Jefferson City, Missouri  
9 Volume 1  
10

11 In the Matter of Union )  
12 Electric Company, d/b/a )  
13 AmerenUE, and Its Tariff )  
14 Filing to Implement a ) Case No.: GR-2003-0517  
15 General Rate Increase for )  
16 Natural Gas Service )

17 RONALD D. PRIDGIN, Presiding,  
18 REGULATORY LAW JUDGE.  
19  
20

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

2 JUDGE PRIDGIN: We are now on the record.

3 This is the prehearing conference for  
4 Case No. GR-2003-0517, In the Matter of Union Electric  
5 Company, doing busing as AmerenUE, and its tariff  
6 filing to implement a general rate increase for natural  
7 gas service.

8 I am Ron Pridgin. I am the Regulatory Law  
9 Judge assigned to preside over this case. We are here  
10 at the Hotel Governor Office Building on July 16th,  
11 2003. The time is 10 a.m.

12 We're here because of my June 3rd, 2003  
13 suspension order and notice setting this case for  
14 prehearing conference at this time. And right now I  
15 would like to get oral entries of appearance from  
16 counsel.

17 And if I could begin with Staff, please.

18 MS. SHEMWELL: Good morning, Judge. Lera  
19 Shemwell and Robert Berlin for the Staff. Our address  
20 is Post Office Box 360, Jefferson City, Missouri 65102.

21 Thank you.

22 JUDGE PRIDGIN: Thank you, Ms. Shemwell.

23 On behalf of the Office of Public Counsel?

24 MR. MICHEEL: Douglas E. Micheel, appearing on  
25 behalf of the Office of the Public Counsel and the

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1 Public, P. O. Box 7800, Jefferson City, Missouri  
2 65102-7800.

3 JUDGE PRIDGIN: Thank you, Mr. Micheel.

4 On behalf of AmerenUE?

5 MR. COOPER: Your Honor, Dean L. Cooper and  
6 James C. Swearengen of the law firm Brydon,  
7 Swearengen & England, P.C., P. O. Box 456, Jefferson  
8 City, Missouri 65102, appearing on behalf of Union  
9 Electric Company, doing business as AmerenUE.

10 JUDGE PRIDGIN: Thank you, Mr. Cooper.

11 On behalf of the Missouri Department of  
12 Natural Resources?

13 MS. WOODS: Good morning. Shelley Woods,  
14 Assistant Attorney General, appearing on behalf of the  
15 Missouri Department of Natural Resources, Post Office  
16 Box 899, Jefferson City, Missouri 65102.

17 JUDGE PRIDGIN: Thank you, Ms. Woods.

18 I don't believe I have any other parties who  
19 have intervened.

20 Anyone else wishing to be heard?

21 (No response.)

22 JUDGE PRIDGIN: Hearing none, let me go  
23 forward and see if there's anything that the parties  
24 want to bring to my attention before I proceed.

25 MR. COOPER: Just as a matter of

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1 clarification, Your Honor, this prehearing conference,  
2 I believe, was previously set for last week, and -- and  
3 upon motion of the parties had been moved to today.

4 I notice that the date where you required the  
5 pre-- or the proposed procedural schedule did not  
6 change in that order. Is that intentional and -- and  
7 are you still expecting a proposed procedural schedule  
8 tomorrow?

9 JUDGE PRIDGIN: I suppose it was intentional  
10 in the sense that I was not asked to move that date.  
11 If the parties need more time for a proposed procedural  
12 schedule, we routinely give parties a week to get that  
13 in.

14 I -- if the parties need more time, I will  
15 need a motion from one or -- or all of the parties and  
16 will certainly be glad to -- to entertain that.

17 MR. MICHEEL: Can we make the motion orally,  
18 Your Honor?

19 JUDGE PRIDGIN: That's fine. I mean, if  
20 all -- I understand you're doing that, Mr. Micheel --  
21 moving for an extra week?

22 MR. COOPER: That's fine.

23 JUDGE PRIDGIN: Is that your motion,  
24 Mr. Micheel?

25 MR. MICHEEL: Yes, that'd be great.

1 JUDGE PRIDGIN: So you want July 23rd?  
2 Okay. Any objections.  
3 MR. COOPER: No. In fact, I would support  
4 that motion.  
5 JUDGE PRIDGIN: All right. In that case  
6 hearing no objections, we will extend the deadline to  
7 file a proposed procedural schedule until July 23rd,  
8 2003. And I will try to get that memorialized in  
9 writing for everyone's file.  
10 And thank you, Mr. Cooper, for bringing that  
11 up.  
12 Anything else?  
13 (No response.)  
14 JUDGE PRIDGIN: All right. Let me ask the  
15 parties a few questions. First of all, just to kind of  
16 get a -- a handle on what I'm looking at here, could I  
17 get some sort of, I guess, ballpark figure, if you  
18 will, as to the number of witnesses and the amount of  
19 time each party thinks it will need to proceed.  
20 And, Ms. Shemwell, could I start with you,  
21 please?  
22 MS. SHEMWELL: I'm not sure how many  
23 witnesses. I would guess seven.  
24 JUDGE PRIDGIN: Okay.  
25 MS. SHEMWELL: Seven to ten.

1 JUDGE PRIDGIN: Okay.

2 MS. SHEMWELL: With the limited number of  
3 intervenors I would think -- are you asking what I  
4 think the hearing will take in terms of length of time;  
5 is that --

6 JUDGE PRIDGIN: Correct.

7 MS. SHEMWELL: I think that we would  
8 estimate -- a week would be sufficient.

9 JUDGE PRIDGIN: Okay. And that's -- and  
10 that's not just your case, but the entire hearing?

11 MS. SHEMWELL: The entire hearing--

12 JUDGE PRIDGIN: All right.

13 MS. SHEMWELL: -- yes. I anticipate that some  
14 of the issues may be resolved.

15 JUDGE PRIDGIN: Okay. Thank you.

16 Mr. Micheel?

17 MR. MICHEEL: Since we're in the incipient  
18 stages of our audit, it's very hard to tell at this  
19 time, Your Honor. I suspect that we'll have three or  
20 four or maybe more witnesses.

21 And until we have identified all of the issues  
22 that need to be litigated, it's hard to tell how long  
23 the case will take.

24 I don't disagree with Ms. Shemwell that a week  
25 sounds correct right now, but I certainly wouldn't put

1 my head on the chopping block and say a week is enough.

2 JUDGE PRIDGIN: Okay. Thank you.

3 Mr. Cooper?

4 MR. COOPER: I believe the Company has  
5 approximately ten witnesses that have filed direct  
6 testimony for -- it may have a few additional  
7 witnesses, depending on -- on what issues are raised in  
8 Staff, OPC testimony as we proceed.

9 However, I think I would agree with  
10 Ms. Shemwell that -- that we believe that a week would  
11 probably be sufficient to try this case --

12 JUDGE PRIDGIN: Thank you.

13 MR. COOPER: -- at this point in the  
14 proceeding.

15 JUDGE PRIDGIN: All right. Thank you,  
16 Mr. Cooper.

17 Ms. Woods?

18 MS. WOODS: We believe we may have up to  
19 four witnesses. And I will defer to the other parties  
20 as to how long they think the hearing itself will take.

21 JUDGE PRIDGIN: Thank you.

22 And -- and let me ask the parties, again,  
23 in -- in the same order, I guess, approximately how  
24 many issues do you think will be -- I mean, I  
25 understand, Ms. Shemwell, you think some of the issues



1 may settle.

2 Can you give me your best guess at this time  
3 how many issues do you think will be pending for  
4 hearing?

5 MS. SHEMWELL: I just -- I don't believe I --

6 JUDGE PRIDGIN: Okay.

7 MS. SHEMWELL: I'm sorry. I don't have any  
8 idea --

9 JUDGE PRIDGIN: Okay.

10 MS. SHEMWELL: -- and Staff doesn't really  
11 either. I'm expecting, again, that -- some issues  
12 usually settle. But until the Staff gets through with  
13 its audit, we don't know what issues we're close to the  
14 Company on and what -- where we have large differences.

15 JUDGE PRIDGIN: Okay. And -- and I guess  
16 maybe let me ask all the rest of the parties all  
17 together if -- if -- do you have any idea or is it just  
18 way too premature to have any idea about how many  
19 issues you think will be before the Commission?

20 MR. COOPER: I don't think I could begin to  
21 answer --

22 JUDGE PRIDGIN: Okay.

23 MR. COOPER: -- that question at this point.

24 JUDGE PRIDGIN: Okay.

25 MR. MICHEEL: Too early.

1 JUDGE PRIDGIN: Too early.  
2 Okay. Ms. Woods, too early?  
3 MS. WOODS: Well, we have two issues. There's  
4 a possibility that at least one of those could  
5 settle --  
6 JUDGE PRIDGIN: All right.  
7 MS. WOODS: -- but that's my best estimate.  
8 JUDGE PRIDGIN: And then let me go around --  
9 as far as local public hearings, Ms. Shemwell, do you  
10 have any idea how many local public hearings you think  
11 the Staff may want, where and when you'll want them?  
12 MS. SHEMWELL: I understand in the past there  
13 have been as many as four public hearings. Since the  
14 territory is rather spread out, I would think that  
15 there would be a minimum of two.  
16 But I -- I'm guessing that the expectation  
17 might be that we follow what was last time. I  
18 understand there was one in Columbia and Cape --  
19 MR. MICHEEL: Cape Girardeau, Mexico.  
20 MS. SHEMWELL: Mexico and Jeff City.  
21 MR. MICHEEL: There were five last time.  
22 MS. SHEMWELL: Oh, that's right, five.  
23 Wentzville.  
24 MR. MICHEEL: And I would assume that I'll be  
25 asking in a -- in a formal written form for at least

1 those five.

2 JUDGE PRIDGIN: Okay.

3 MR. MICHEEL: And once we get notice to the  
4 customers, I'll find out what the interest is in -- in  
5 various areas, so --

6 JUDGE PRIDGIN: Okay.

7 Mr. Cooper?

8 MR. COOPER: We generally follow what the  
9 OPC recommends, as long as it's within reason as to  
10 public hearing. So I guess our expectations would have  
11 been that it would be a similar schedule to what  
12 Mr. Micheel refers to from the last AmerenUE case.

13 I think our only additional interest is that  
14 those take place early enough in the proceeding that if  
15 issues are raised, they can be addressed in the  
16 testimony, and -- and taken into account if the parties  
17 do attempt to settle the case or -- or issues in the  
18 case along the case.

19 So I think that will be the Company's primary  
20 interest in the scheduling of local public hearings.

21 JUDGE PRIDGIN: Okay. Thank you, Mr. Cooper.

22 Ms. Woods?

23 MS. WOODS: I will defer to Office of Public  
24 Counsel as to how many hearings they feel are  
25 necessary.

1 JUDGE PRIDGIN: Okay. Thank you.

2 All right. I think that's all I have for the  
3 parties. Is there anything else that the parties wish  
4 to bring to my attention?

5 (No response.)

6 JUDGE PRIDGIN: Okay. Hearing nothing, again,  
7 I -- I have extended the deadline for the proposed  
8 procedural schedule. It is now due July 23rd, 2003.

9 You have access to this room until  
10 five o'clock. I encourage you to get together and try  
11 to talk about issues. Get some settled if you can. I  
12 am on the 9th floor if any party needs to see me about  
13 dates for hearings -- local public hearings, et cetera.

14 Anything further?

15 (No response.)

16 JUDGE PRIDGIN: Hearing nothing, this  
17 prehearing conference is now adjourned. We're off the  
18 record. Thank you.

19 WHEREUPON, the on-the-record portion of the  
20 prehearing conference was concluded.

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