

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION

3
4 PREHEARING CONFERENCE

5 May 14, 2002
6 Jefferson City, Missouri
7 Volume 1
8

9 In the Matter of the Review of)
10 the Purchased Gas Adjustment) Case
11 Clauses in the Tariffs of Local) No. GO-2002-452
12 Distribution Companies.)
13
14

15 BEFORE:

16 NANCY M. DIPPELL, Presiding,
17 SENIOR REGULATORY LAW JUDGE.
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1 P R O C E E D I N G S
2 (Written Entries of Appearance filed.)
3 JUDGE DIPPELL: This is Case
4 No. GO-2002-452, in the matter of the review of the
5 purchased gas adjustment clauses in the tariffs of
6 local distribution companies.
7 My name is Nancy Dippell. I'm the
8 Regulatory Law Judge assigned to this matter. And I'm
9 going to begin -- we're meeting at a prehearing
10 conference today to kind of discuss the status of this
11 case and which direction it's headed.
12 I'm going to begin by asking you to make
13 oral entries of appearance. Can we start with you,
14 Mr. Micheel?
15 MR. MICHEEL: Yes. Douglas E. Micheel,
16 appearing on behalf of the Office of the Public
17 Counsel and the public, your Honor.
18 JUDGE DIPPELL: And Staff?
19 MR. SCHWARZ: Tim Schwarz, representing the
20 Staff of the Missouri Public Service Commission.
21 JUDGE DIPPELL: And we'll just start back
22 the next row.
23 MR. DUFFY: Gary Duffy, appearing for
24 Missouri Gas Energy.
25 MR. COOPER: Dean Cooper, appearing on

1 behalf of Aquila, Inc., doing business as Aquila
2 Networks - MPS and Aquila Networks - L&P.

3 MR. PENDERGAST: Michael C. Pendergast,
4 appearing on behalf of Laclede Gas Company.

5 MS. VUYLSTEKE: Diane Vuylsteke, appearing
6 on behalf of the Missouri Industrial Energy Consumers.

7 MR. FISCHER: James M. Fischer, appearing on
8 behalf of Atmos Energy Corporation, including United
9 Cities Gas Company and Greely Gas Company Divisions,
10 as well as Southern Missouri Gas Company, LP, and
11 Fidelity Natural Gas, Inc.

12 JUDGE DIPPELL: And is there anyone else who
13 would like to make an entry of appearance?

14 MR. SCHWARZ: I'd like to note for the
15 record that we anticipate the appearance of Mr. Tom
16 Byrne for AmerenUE momentarily. I think he's probably
17 been delayed on the road a bit.

18 JUDGE DIPPELL: Okay. Thank you.

19 And I will note that the Missouri Industrial
20 Energy Consumers had made an Application to Intervene,
21 which I don't believe has been actually granted yet.
22 There were no responses to that application, and the
23 ten-day period has passed, so that will be granted,
24 and you may be allowed to participate.

25 I had also -- I had -- we originally had

1 sent service of this case out to an odd service list,
2 and I tried to get that corrected, and I tried to ask
3 the parties who wished to participate to let me know
4 that they intended to participate so they would not
5 get booted off the service list. I haven't checked to
6 make sure that that is all accurate.

7 Is there anyone who is not here today that
8 you-all believe didn't -- maybe didn't receive notice
9 of the prehearing conference?

10 Mr. Schwarz, is there anyone you know of?

11 MR. SCHWARZ: I'm not aware of anyone.

12 JUDGE DIPPELL: Does anyone else know of any
13 other person who intended to be --

14 (No response.)

15 JUDGE DIPPELL: Okay. Then did you want to
16 make an entry of appearance?

17 MS. LANGENECKERT: We have not yet formally
18 intervened and we're not sure we're going to, so I'm
19 just here to observe today, but I can enter my
20 appearance if you prefer.

21 JUDGE DIPPELL: Why don't you go ahead and
22 enter an appearance just so we know you're here?

23 MS. LANGENECKERT: Lisa Langeneckert, Office
24 of Robert Johnson, 720 Olive, 24th Floor, St. Louis,
25 Missouri, 63101, on behalf of the Missouri Energy

1 Group.

2 JUDGE DIPPELL: That brings me to my next
3 question, and that is, should this case, instead of
4 being designated as a contested case, be designated as
5 an investigation case that would be treated as a
6 noncontested case, or is there -- are there issues
7 that are going to come before the Commission that are
8 going to affect the rights of the parties, and,
9 therefore, it should be treated as a contested case?

10 Mr. Schwarz, do you have thoughts on that?

11 MR. SCHWARZ: I don't have any particular
12 thoughts at this time. I think that the parties will
13 use the time this morning to sift through the issues
14 that we think need to be addressed in the PGA process,
15 and I think after today, at such time as we suggest a
16 continuing procedural schedule, we will be able to
17 advise the Commission on how we think that we should
18 proceed, vis-a-vis uncontested or contested case
19 procedures.

20 JUDGE DIPPELL: Are there any other thoughts
21 on that from any of the other attorneys?

22 (No response.)

23 JUDGE DIPPELL: Okay. Well, in that case,
24 then, we had set -- we've set a time in June for a
25 List of Issues to be presented to the Commission, and

1 I would like for you to at that time also include what
2 you think the procedure should be for the remainder of
3 this case, and if at that time you think that this
4 should not be treated as a contested case, to inform
5 the Commission that that's your opinion.

6 Until that time, we'll treat it as a
7 contested case so that, like I say, if there are
8 rights being determined by the Commission of the
9 parties, then it should be treated as a contested
10 case, so...

11 And then do you-all anticipate then, or do
12 you know yet, if there is going to be need for
13 testimony and cross-examination, hearing, or is that
14 yet to be determined?

15 MR. SCHWARZ: I think that, too, is yet to
16 be determined. I don't want to speak out of turn,
17 but --

18 JUDGE DIPPELL: I'm seeing agreement.

19 All right. Then that's all of the issues I
20 wanted to bring up.

21 Is there anything that you-all wanted to ask
22 me while we're still on the record?

23 (No response.)

24 JUDGE DIPPELL: Okay. Then I will leave
25 you-all to your discussions. And you have your date

1 for an issues list and procedural schedule then.
2 I appreciate you-all coming in this morning.
3 Thank you very much.
4 We can go off the record.
5 WHEREUPON, the on-the-record portion of the
6 prehearing conference was concluded.
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