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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

PREHEARING CONFERENCE

June 3, 2003
Jefferson City, Missouri
Volume I

In the Matter of the Application of)
Aquila, Inc., for a Certificate of) Case No.
Public Convenience and Necessity) EA-2003-0370
Authorizing it to Construct, Install,)
Own, Operate, Control, Manage, and)
Maintain an Electric Transmission Line)
in a Portion of the Territory Served)
by Kansas City Power & Light Company)
in Cass County, Mo.)

BILL HOPKINS, Presiding
SENIOR REGULATORY LAW JUDGE

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A P P E A R A N C E S

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

2 (Written Entries of Appearance filed.)

3 JUDGE HOPKINS: Let's go on the record.

4 This is June the 3rd, 10:00 a.m., in the case number
5 EA-2003-0370 in the matter of Aquila's Application
6 for Certificate of Public Convenience and Necessity.
7 I'm Bill Hopkins, Senior Regulatory Judge for the
8 Public Service Commission, and could we have our
9 entries of appearance starting with you, Mr. Coffman,
10 sir.

11 MR. COFFMAN: Yes, John B. Coffman
12 appearing on behalf of the Office of the Public
13 Counsel, P.O. Box 7800, Jefferson City, Missouri,
14 65102.

15 MR. COOPER: Dean L. Cooper from the
16 law firm of Brydon, Swearingen & England, P.O. Box
17 456, Jefferson City, Missouri, 65102, appearing on
18 behalf of Aquila, Inc.

19 MR. BATES: Stephen Dottheim and Bruce
20 Bates appearing on behalf of the Staff of the
21 Missouri Public Service Commission. Our address is
22 Post Office Box 360, Jefferson City, Missouri, 65102.

23 MR. FISCHER: James M. Fischer, Fischer
24 & Doherty, P.C., 101 Madison Street, Suite 400,
25 Jefferson City, Missouri, appearing on behalf of

1 Kansas City Power and Light Company.

2 JUDGE HOPKINS: Okay. I do not believe
3 there are any unruled motions. Today's a prehearing
4 conference which gives you all the opportunity to
5 discuss, define, and resolve the issues presumed in
6 this case, and give me a procedural schedule. Let's
7 just find out everybody's positions here briefly.

8 Mr. Cooper, obviously you filed this to
9 get a gas line in Cass County.

10 MR. COOPER: Actually, an electric
11 line, your Honor.

12 JUDGE HOPKINS: I'm sorry, electric
13 line. That would make a difference, wouldn't it.
14 And the Intervenor, I'm assuming you have no
15 objection to this; is that correct?

16 MR. FISCHER: Judge, that's what we
17 said in our motion to intervene, and that continues
18 to be their position. They're just monitoring their
19 service territory.

20 JUDGE HOPKINS: All right. Is it
21 possible that the parties could settle all this? I'm
22 not seeing this is a contested case; is that a
23 correct assumption, Mr. Bates?

24 MR. BATES: Yes, your Honor, I believe
25 that's true. Respectfully, staff is not sure that a

1 procedural schedule is really necessary in this case.
2 We believe and would suggest that perhaps the
3 Commission direct the staff to file an investigative
4 report and then set a time thereafter for other
5 parties to comment on that report.

6 JUDGE HOPKINS: Anybody have any
7 objection to that?

8 MR. COFFMAN: That sounds like a fine
9 approach to me. I'm not currently aware of any
10 objections that I would have to this application at
11 the moment.

12 JUDGE HOPKINS: Okay.

13 MR. COFFMAN: We haven't had any
14 opportunity to speak about it yet.

15 JUDGE HOPKINS: Mr. Cooper and Mr.
16 Fischer, you don't have any objections to that?

17 MR. COOPER: Certainly I have none.

18 MR. FISCHER: I don't have any either.

19 JUDGE HOPKINS: I will issue an order
20 changing that then, and how long do you think would
21 you need for this investigation?

22 MR. BATES: Your Honor, we think ten
23 days would be sufficient.

24 JUDGE HOPKINS: All right. I'll make
25 it in ten days for you file your investigative

1 report. Are you going to file this as a memorandum
2 and recommendation or as a report?

3 MR. BATES: Yes, your Honor.

4 JUDGE HOPKINS: Memorandum and
5 recommendation?

6 MR. BATES: Yes.

7 JUDGE HOPKINS: Okay. And hearing no
8 objection, what I'm going to do is order the staff
9 instead of filing a procedural schedule is that they
10 file a memorandum and recommendation within ten days,
11 and then each of the parties, intervenors, so forth
12 will have ten days to respond. Anything else? I
13 hear nothing else, so I will be here all day if you
14 need to talk to me about anything, and otherwise,
15 I'll be getting that order out, and I appreciate it.
16 We'll go off-the-record. Thank you.

17 WHEREUPON, the on-the-record portion of
18 the prehearing conference was concluded.

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