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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS
Prehearing Conference
October 23, 2002
Jefferson City, Missouri
Volume 1

In the Matter of the Tariff Filing)
of Laclede Gas Company to Implement) Case No. GT-2003-0117
an Experimental Low Income Assistance) Program Called Catch-Up/Keep-Up.)

VICKY RUTH, Presiding,
SENIOR REGULATORY LAW JUDGE.

REPORTED BY:
KELLENE K. FEDDERSEN, CSR, RPR, CCR
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13 FOR: Staff of the Missouri Public
Service Commission.

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

2 JUDGE RUTH: Good morning. We are here for a
3 prehearing conference in Case No. TT-2003 -- I'm sorry --
4 GT-2003-0117, In the Matter of Laclede Gas Company to
5 Implement an Experimental Low Income Assistance Program
6 Called Catch-Up/Keep-Up. My name is Vicky Ruth, and I'm the
7 Regulatory Law Judge assigned to this case. Today's date is
8 October 23rd, 2002, and it's a few minutes after 10 o'clock.

9 Let's begin by taking entries of appearance,
10 and Laclede, we'll start with you.

11 MR. PENDERGAST: Thank you, your Honor.
12 Michael C. Pendergast appearing on behalf of Laclede Gas
13 Company. My business address is 720 Olive Street,
14 St. Louis, Missouri 63101.

15 JUDGE RUTH: Okay. Staff?

16 MS. SHEMWELL: Good morning. Lera Shemwell
17 representing the Staff of the Missouri Public Service
18 Commission, Post Office Box 360, Jefferson City, Missouri
19 65102.

20 JUDGE RUTH: Thank you.

21 Public Counsel?

22 MR. COFFMAN: Appearing on behalf of the
23 Office of the Public Counsel, John B. Coffman and Douglas E.
24 Micheel, P.O. Box 7800, Jefferson City, Missouri 65102.

25 JUDGE RUTH: Okay. Thank you.

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1 On September 23rd, 2002, Laclede filed its
2 proposed tariff sheets to implement a program called
3 Catch-Up/Keep-Up for its eligible low income customers.
4 Both the Staff of the Commission and the Office of the
5 Public Counsel then filed Motions to Suspend, and by Order
6 issued October 10, 2002, the Commission suspended the tariff
7 until November 21st, scheduled this prehearing conference,
8 and directed the parties to file a proposed procedural
9 schedule no later than November 1st.

10 This conference has been scheduled as a
11 potential settlement conference and an opportunity to allow
12 you to come up with a proposed procedural schedule if you're
13 not able to come up with a settlement agreement.

14 Do the parties have any additional matters
15 that you want to discuss at this time?

16 MR. PENDERGAST: Your Honor, if I could, and
17 forgive my voice, I'm losing it, probably something that
18 everybody else will take great pleasure in.

19 But there was some discussion at the agenda
20 meeting about the possibility of having some kind of oral
21 argument on this matter.

22 And as we discuss with the other parties what
23 sort of procedural avenues we make, in the event we can't
24 reach an overall agreement, I just wanted to alert you that
25 that's certainly something that Laclede will be mentioning

1 as a possible way of, if we can't reach an overall
2 settlement, bringing this to the Commission's attention for
3 decision sooner rather than later, and so I just wanted to
4 alert you to that possibility.

5 JUDGE RUTH: Okay. Thank you. Any other
6 comments or responses to Mr. Pendergast?

7 MS. SHEMWELL: It's certainly something that
8 we'll discuss, but just initially under the impression that
9 that might need to occur after testimony rather than before
10 testimony. Just a thought.

11 JUDGE RUTH: Ideally the Commission wants to
12 receive one proposed procedural schedule. Sometimes it
13 happens that there -- that that doesn't work and there are
14 two proposed procedural schedules submitted. That's not our
15 preference, but it may -- it may come to that if the parties
16 disagree as to what the next step should be.

17 MR. COFFMAN: I'm not sure what the dispute
18 might be, but I think an oral argument could be positive to
19 have some give and take discussion of the issues, legal
20 issues particularly, but at this point I'm hesitant to
21 suggest that the Commission not receive testimony. We think
22 it may be important that there be testimony filed.

23 JUDGE RUTH: It sounds like there are several
24 issues, then, that would be good for the parties to discuss
25 today, and you may either be able to come to an agreement

1 that testimony is not needed, that this is a matter for oral
2 argument only, or you may find that testimony is needed and
3 plan your procedural schedules accordingly.

4 MS. SHEMWELL: One more thing, if I may. Ron
5 Wyse is here from the Department of Natural Resources. He's
6 not an attorney, but he is -- Mr. Wyse.

7 MR. WYSE: I'm Ron Wyse. I'm with the --
8 represent the Department of Natural Resources here in
9 Jefferson City.

10 JUDGE RUTH: Thank you. Would you go ahead
11 and spell your name for the record.

12 MR. WYSE: Last name is W-y-s-e.

13 JUDGE RUTH: And your position at the
14 Department of Natural Resources?

15 MR. WYSE: I'm Program Director for the
16 Residential and Business Program Energy Center.

17 JUDGE RUTH: Thank you. Anything else I
18 should be told about?

19 Okay. Now, the -- or the tariff, like I said,
20 has only been suspended until November 21st. Depending on
21 the proposed procedural schedules that are offered and
22 whatever the Commission ends up adopting, that may need to
23 be extended, but there should be time to do that if
24 necessary since the proposed procedural schedules are due no
25 later than November 1st.

1 MR. COFFMAN: Did you say it was suspended
2 until November 31st?
3 JUDGE RUTH: 21st.
4 MR. COFFMAN: 21st. Okay. I'm sorry.
5 JUDGE RUTH: Okay. Then that will conclude
6 the on-the-record portion of the prehearing conference. I
7 will be in my office if you need to talk to me. Please have
8 someone let Joanne know when you leave so she can lock up.
9 If you come up with potential dates, you might
10 want to give me a heads up and I will mark them on the
11 calendar in case you don't file your proposed procedural
12 schedule 'til November 1st. I can attempt to protect those
13 dates for you. Thank you very much.
14 WHEREUPON, the recorded portion of the
15 prehearing conference was concluded.
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