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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Prehearing Conference

April 16, 2014

Jefferson City, Missouri

Volume 25

In the Matter of Missouri-American)
Water Company's Request for)
Authority to Implement a General) Case Nos. WR-2011-0337
Rate Increase for Water and Sewer) WR-2011-0338
Provided in Missouri Service Areas)

JUDGE KIM S. BURTON, Presiding
REGULATORY LAW JUDGE

REPORTED BY: Monnie S. Mealy, CCR, CSR, RPR
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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 JUDGE BURTON: Okay. We're on the record
3 in File No. WR-2011-0337. This is in the matter of
4 Missouri-American Water Company's request for
5 authority to implement a general rate increase for
6 water and sewer service provided in Missouri
7 service areas. That's the original case caption.

8 But we are here specifically for a Motion
9 for a Waiver of Variance by Missouri --
10 Missouri-American Water Company on a reporting
11 requirement.

12 At this time, I'm going to ask that all
13 the parties enter their appearance for the record,
14 and we'll go ahead and start with
15 Missouri-American.

16 MR. COOPER: Dean Cooper on behalf of
17 Missouri-American Water Company. The court
18 reporter has the address. Tim, do you want to
19 enter your --

20 MR. LUFT: Yes. Tim Luft,
21 Missouri-American Water, 727 Craig Road, St. Louis,
22 Missouri, 63141.

23 JUDGE BURTON: All right. Thank you. And
24 on behalf of the Staff of the Missouri Public
25 Service Commission?

1 MR. THOMPSON: Thank you, Judge. Kevin
2 Thompson and Whitney Hampton for the Staff of the
3 Missouri Public Service Commission, Post Office Box
4 360, Jefferson City, Missouri, 65102.

5 JUDGE BURTON: Thank you. And on behalf
6 of Office of the Public Counsel?

7 MS. KIEFER: Thank you. Christina Baker,
8 P.O. Box 2230, Jefferson City, Missouri, 65102,
9 appearing on behalf of the Office of the Public
10 Counsel and the customers.

11 JUDGE BURTON: All right. Now, are there
12 any other parties that I have missed? Okay.
13 Seeing no hands -- oh, excuse me.

14 MR. WENZEL: Keith Wenzel, Spencer Fane
15 Law Firm, 308 East High Street, Jefferson City,
16 Missouri, 65101, on behalf of the City of
17 Riverside.

18 JUDGE BURTON: Okay. Thank you.
19 Mr. Wenzel, if you'd like, you can have a seat up
20 here.

21 MR. WENZEL: I'm fine.

22 JUDGE BURTON: Okay. Now, the reason I
23 called this pre-hearing conference is because the
24 Staff has filed a recommendation that the
25 Commission deny Missouri-American's request for a

1 variance for the period of May 2013 to June 2014.

2 And OPC has filed their motion in concurrence with
3 Staff's recommendation.

4 Now, Missouri-American, this is your
5 motion initially, so we'd like to go ahead and see
6 -- I don't know if you've had an opportunity to
7 discuss this with the parties. You'll get that
8 opportunity after we go on the record -- off the
9 record. Excuse me.

10 But I'd like to see if you'd like to
11 proceed with a procedural schedule working towards
12 a hearing.

13 MR. COOPER: Well, we may.

14 JUDGE BURTON: Okay.

15 MR. COOPER: But as -- as you alluded, I
16 think we do want to have a conversation with --
17 with the parties before we make that decision.

18 If it would be possible to -- for the
19 parties to file something, a status perhaps, within
20 a week or two in terms of how they would like to
21 proceed, I think we would -- we would appreciate
22 that.

23 JUDGE BURTON: Okay. Are there any
24 objections to Mr. Cooper's request?

25 All right. Hearing none, what I am going

1 to do is order that a status report be filed. I'll
2 go ahead and say, Missouri-American, if you can go
3 ahead and just file that and let me know, why don't
4 we say by the 30th of April?

5 And just let me know if we need some
6 additional time to work on negotiating a resolution
7 to this or if it looks like we need to to go ahead
8 and schedule a hearing.

9 Now, I'm not saying it's an either/or
10 situation. I think you've seen from the agenda
11 earlier today that the Commission's calendar is
12 filling up very quickly.

13 So I would say if it looks like by the
14 30th there is no resolution, in essence, please go
15 ahead and provide me a date or a proposed
16 procedural schedule, and we'll just keep that in
17 the background. That way, I can get something on
18 the agenda.

19 And I think that Whitney or Mr. Thompson
20 can go ahead and provide a copy of that schedule
21 for the parties to work with that has the
22 Commission's schedule with us. Okay?

23 MR. THOMPSON: Very good.

24 MR. COOPER: Okay.

25 JUDGE BURTON: Now, are there other issues

1 that we need to have addressed while we are on the
2 record?

3 Okay. Hearing none, thank you, everyone,
4 for your participation and for your patience here
5 today for working with the schedules and our brief
6 delay.

7 That being said, we're going to go ahead
8 and go off the record, and I'll give the parties an
9 opportunity to go ahead and discuss. Thank you.

10 MR. THOMPSON: Thank you, Judge.

11 MR. LUFT: Thank you.

12 JUDGE BURTON: And if you will just give
13 me one moment, I will exit the room.

14 (The proceedings were concluded at 1:15 p.m. on
15 April 16, 2014.)

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REPORTER'S CERTIFICATE

STATE OF MISSOURI)

) ss.

COUNTY OF OSAGE)

I, Monnie S. Mealy, Certified Shorthand Reporter,
Certified Court Reporter #0538, and Registered Professional
Reporter, within and for the State of Missouri, do hereby
certify that I was personally present at the proceedings as
set forth in the caption sheet hereof; that I then and there
took down in stenotype the proceedings had at said time and
was thereafter transcribed by me, and is fully and accurately
set forth in the preceding pages.

IN WITNESS WHEREOF, I have hereunto set my hand and
seal on _____, 2014.

Monnie S. Mealy, CSR, CCR #0538
Registered Professional Reporter

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