

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
3
4
5
6 TRANSCRIPT OF PROCEEDINGS
7 Procedural Conference
8 March 11, 2013
9 Jefferson City, Missouri
Volume 1

10
11
12 In the Matter of the Application)
of Union Electric Company d/b/a)
13 Ameren Missouri for Permission and)
Approval and a Certificate of)
14 Public Convenience and Necessity) File No. EA-2012-0281
Authorizing it to Construct,)
15 Install, Own, Operate, Maintain)
and Otherwise Control and Manage a)
16 Utility Waste Landfill and Related)
Facilities at its Labadie Energy)
17 Center.)

18
19
20 MORRIS L. WOODRUFF, Presiding,
CHIEF REGULATORY LAW JUDGE.

21
22
23 REPORTED BY:
24 KELLENE K. FEDDERSEN, CSR, RPR, CCR
MIDWEST LITIGATION SERVICES

25

1 APPEARANCES:

2

3 JAMES B. LOWERY, Attorney at Law
Smith Lewis, LLP
4 111 South 9th Street, Suite 200
P.O. Box 918
5 Columbia, MO 65205-0918
(573)443-3141
6 lowery@smithlewis.com
7

8

FOR: Union Electric Company d/b/a Ameren
Missouri.

9

ELIZABETH HUBERTZ, Attorney at Law
10 LAUREN GRADY
Interdisciplinary Environmental Clinic
11 Washington University School of Law
1 Brookings Drive
12 Campus Box 1120
St. Louis, MO 63130

13

FOR: Labadie Environmental Organization.
14 Sierra Club.

15

LEWIS R. MILLS, JR., Public Counsel
Office of the Public Counsel
16 P.O. Box 2230
200 Madison Street, Suite 650
17 Jefferson City, MO 65102-2230
(573)751-4857

18

FOR: Office of the Public Counsel
19 and the Public.

20

NATHAN WILLIAMS, Deputy Counsel/Electric
AMY MOORE, Legal Counsel
21 Missouri Public Service Commission
P.O. Box 360
22 200 Madison Street
Jefferson City, MO 65102
23 (573)751-3234

24

FOR: Staff of the Missouri Public
25 Service Commission.

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

2 (WHEREUPON, the prehearing conference began
3 at 10:00 a.m.)

4 JUDGE WOODRUFF: Let's go on the record.
5 This is the prehearing conference in File
6 No. EA-2012-0281. We'll begin today by taking entries of
7 appearance, beginning with Ameren.

8 MR. LOWERY: Good morning, your Honor.
9 James B. Lowery, law firm of Smith Lewis, LLP, P.O.
10 Box 918, Columbia, Missouri, 65205, representing Union
11 Electric Company.

12 JUDGE WOODRUFF: And for the Staff.

13 MS. MOORE: Amy Moore and Nathan Williams,
14 Missouri Public Service Commission, P.O. Box 360,
15 Jefferson City, Missouri 65102.

16 JUDGE WOODRUFF: And for Public Counsel.

17 MR. MILLS: On behalf of the Office of the
18 Public Counsel and the public, my name is Lewis Mills. My
19 address is Post Office Box 2230, Jefferson City, Missouri
20 65102.

21 JUDGE WOODRUFF: And for LEO and the Sierra
22 Club.

23 MS. HUBERTZ: Elizabeth Hubertz, Clinic
24 Attorney at the Interdisciplinary Environmental Clinic at
25 Washington University, 1 Brookings Drive, Campus Box 1120,

1 St. Louis, Missouri 63130.

2 MS. GRADY: And Lauren Grady with the
3 Interdisciplinary Environmental Clinic, Washington
4 University, 1 Brookings Drive, Campus Box 1120,
5 St. Louis, Missouri 63130.

6 JUDGE WOODRUFF: Thank you. I believe
7 that's all the parties. So the purpose of bringing you
8 all here today was so that you could sit around the table
9 and start discussing how to proceed in this case, whether
10 we need to have a hearing, when that hearing would be and
11 any agreements on prefiling testimony and so forth.

12 So basically I'll just leave you to your
13 discussions, but first I'll ask, is there anything we need
14 to bring up while we're on the record?

15 (No response.)

16 JUDGE WOODRUFF: Okay. Well, this is quick
17 and prompt then. So I'll leave you to your discussions
18 and be upstairs if you have any questions for me about the
19 Commission schedule and so forth.

20 (WHEREUPON, the recorded portion of the
21 prehearing schedule was concluded at 10:02 a.m.)

22
23
24
25

1

2

C E R T I F I C A T E

3

STATE OF MISSOURI)

4

) ss.

5

COUNTY OF COLE)

6

I, Kellene K. Feddersen, Certified

7

Shorthand Reporter with the firm of Midwest Litigation

8

Services, do hereby certify that I was personally present

9

at the proceedings had in the above-entitled cause at the

10

time and place set forth in the caption sheet thereof;

11

that I then and there took down in Stenotype the

12

proceedings had; and that the foregoing is a full, true

13

and correct transcript of such Stenotype notes so made at

14

such time and place.

15

Given at my office in the City of

16

Jefferson, County of Cole, State of Missouri.

17

18

19

Kellene K. Feddersen, RPR, CSR, CCR

20

21

22

23

24

25

PROCEDURAL CONFERENCE 3/11/2013

A	Certified 5:6 certify 5:8 CHIEF 1:20 City 1:9 2:17 2:22 3:15,19 5:15 Clinic 2:10 3:23,24 4:3 Club 2:14 3:22 Cole 5:5,16 Columbia 2:5 3:10 Commission 1:2 2:21,25 3:14 4:19 Company 1:12 2:8 3:11 concluded 4:21 conference 1:7 3:2,5 Construct 1:14 Control 1:15 Convenience 1:14 correct 5:13 Counsel 2:15 2:15,18,20 3:16,18 Counsel/Elec... 2:20 County 5:5,16 CSR 1:24 5:19	Electric 1:12 2:8 3:11 Elizabeth 2:9 3:23 Energy 1:16 entries 3:6 Environmental 2:10,13 3:24 4:3	JR 2:15 JUDGE 1:20 3:4,12,16,21 4:6,16	1:13 2:8,21 2:24 3:10,14 3:15,19 4:1,5 5:3,16 MO 2:5,12,17 2:22 Moore 2:20 3:13,13 morning 3:8 MORRIS 1:20
above-entitled 5:9 address 3:19 agreements 4:11 Ameren 1:13 2:8 3:7 Amy 2:20 3:13 appearance 3:7 APPEARAN... 2:1 Application 1:12 Approval 1:13 Attorney 2:3,9 3:24 Authorizing 1:14 a.m 3:3 4:21	Columbia 2:5 3:10 Commission 1:2 2:21,25 3:14 4:19 Company 1:12 2:8 3:11 concluded 4:21 conference 1:7 3:2,5 Construct 1:14 Control 1:15 Convenience 1:14 correct 5:13 Counsel 2:15 2:15,18,20 3:16,18 Counsel/Elec... 2:20 County 5:5,16 CSR 1:24 5:19	F F 5:2 Facilities 1:16 Feddersen 1:24 5:6,19 File 1:14 3:5 firm 3:9 5:7 first 4:13 foregoing 5:12 forth 4:11,19 5:10 full 5:12	K K 1:24 5:6,19 Kellene 1:24 5:6,19	MO 2:5,12,17 2:22 Moore 2:20 3:13,13 morning 3:8 MORRIS 1:20
B	D	G	L	N
B 2:3 3:9 basically 4:12 began 3:2 beginning 3:7 behalf 3:17 believe 4:6 Box 2:4,12,16 2:21 3:10,14 3:19,25 4:4 bring 4:14 bringing 4:7 Brookings 2:11 3:25 4:4	D 3:1 Deputy 2:20 discussing 4:9 discussions 4:13,17 Drive 2:11 3:25 4:4 d/b/a 1:12 2:8	G 3:1 Given 5:15 go 3:4 Good 3:8 Grady 2:10 4:2 4:2	L 1:20 Labadie 1:16 2:13 Landfill 1:16 Lauren 2:10 4:2 law 1:20 2:3,9 2:11 3:9 leave 4:12,17 Legal 2:20 LEO 3:21 Let's 3:4 Lewis 2:3,15 3:9,18 Litigation 1:24 5:7 LLP 2:3 3:9 Louis 2:12 4:1 4:5 Lowery 2:3 3:8 3:9 lowery@smit... 2:6	N 3:1 name 3:18 Nathan 2:20 3:13 Necessity 1:14 need 4:10,13 notes 5:13
C	E	I	M	O
C 3:1 5:2,2 Campus 2:12 3:25 4:4 caption 5:10 case 4:9 cause 5:9 CCR 1:24 5:19 Center 1:17 Certificate 1:13	E 3:1,1 5:2,2 EA-2012-0281 1:14 3:6	I Install 1:15 Interdiscipli... 2:10 3:24 4:3	M Madison 2:16 2:22 Maintain 1:15 Manage 1:15 March 1:8 Matter 1:12 Midwest 1:24 5:7 Mills 2:15 3:17 3:18 Missouri 1:1,9	O 3:1 office 2:15,18 3:17,19 5:15 Okay 4:16 Operate 1:15 Organization 2:13
		H		P
		H hearing 4:10 4:10 Honor 3:8 Hubertz 2:9 3:23,23		P 3:1 parties 4:7 Permission 1:13 personally 5:8 place 5:10,14 portion 4:20 Post 3:19 prefiling 4:11 prehearing 3:2 3:5 4:21 present 5:8 Presiding 1:20 Procedural 1:7 proceed 4:9 proceedings 1:6 5:9,12

<p>prompt 4:17 public 1:2,14 2:15,15,18,19 2:21,24 3:14 3:16,18,18 purpose 4:7 P.O 2:4,16,21 3:9,14</p> <hr/> <p>Q</p> <p>questions 4:18 quick 4:16</p> <hr/> <p>R</p> <p>R 2:15 3:1 5:2 record 3:4 4:14 recorded 4:20 REGULAT... 1:20 Related 1:16 REPORTED 1:23 Reporter 5:7 representing 3:10 response 4:15 RPR 1:24 5:19</p> <hr/> <p>S</p> <p>S 3:1 schedule 4:19 4:21 School 2:11 Service 1:2 2:21,25 3:14 Services 1:24 5:8 set 5:10 sheet 5:10 Shorthand 5:7 Sierra 2:14 3:21 sit 4:8 Smith 2:3 3:9 South 2:4 ss 5:4 St 2:12 4:1,5</p>	<p>Staff 2:24 3:12 start 4:9 State 1:1 5:3,16 Stenotype 5:11 5:13 Street 2:4,16 2:22 Suite 2:4,16</p> <hr/> <p>T</p> <p>T 5:2,2 table 4:8 testimony 4:11 Thank 4:6 thereof 5:10 time 5:10,14 today 3:6 4:8 transcript 1:6 5:13 true 5:12</p> <hr/> <p>U</p> <p>Union 1:12 2:8 3:10 University 2:11 3:25 4:4 upstairs 4:18 Utility 1:16</p> <hr/> <p>V</p> <p>Volume 1:9</p> <hr/> <p>W</p> <p>Washington 2:11 3:25 4:3 Waste 1:16 We'll 3:6 we're 4:14 Williams 2:20 3:13 WOODRUFF 1:20 3:4,12 3:16,21 4:6 4:16</p> <hr/> <p>1</p> <p>1 1:9 2:11 3:25 4:4</p>	<p>10:00 3:3 10:02 4:21 11 1:8 111 2:4 1120 2:12 3:25 4:4</p> <hr/> <p>2</p> <p>200 2:4,16,22 2013 1:8 2230 2:16 3:19</p> <hr/> <p>3</p> <p>360 2:21 3:14</p> <hr/> <p>5</p> <p>573)443-3141 2:5 573)751-3234 2:23 573)751-4857 2:17</p> <hr/> <p>6</p> <p>63130 2:12 4:1 4:5 650 2:16 65102 2:22 3:15,20 65102-2230 2:17 65205 3:10 65205-0918 2:5</p> <hr/> <p>9</p> <p>9th 2:4 918 2:4 3:10</p>		
--	---	--	--	--