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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
  
TRANSCRIPT OF PROCEEDINGS  
  
Prehearing Conference  
  
July 1, 2003  
Jefferson City, Missouri  
Volume 1

In the Matter of the Application by )  
Aquila, Inc. for Authority to ) Case No. EF-2003-0465  
Assign, Transfer, Mortgage or )  
Encumber Its Franchise, Works or )  
System. )

RONALD D. PRIDGIN, Presiding,  
REGULATORY LAW JUDGE.

REPORTED BY:  
KELLENE K. FEDDERSEN, CSR, RPR, CCR  
ASSOCIATED COURT REPORTERS

1 APPEARANCES:

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14 FOR: Kansas City Power & Light Company.

15 STUART CONRAD, Attorney at Law  
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and the Public.

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FOR: Staff of the Missouri Public  
4 Service Commission.  
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1 P R O C E E D I N G S

2 JUDGE PRIDGIN: Good morning. We're on the  
3 record.

4 This is the prehearing conference for Case  
5 No. EF-2003-0465, in the matter of the application by  
6 Aquila, Incorporated for authority to assign, transfer,  
7 mortgage or encumber its franchise, works or system.

8 I am Ron Pridgin. I'm the Regulatory Law  
9 Judge assigned by the Missouri Public Service Commission to  
10 conduct this prehearing conference and to preside over this  
11 case.

12 We are here because of my June 12th, 2003  
13 Order setting this case for prehearing conference. We're at  
14 the Hotel Governor Office Building on July 1st, 2003, and  
15 the time is ten o'clock in the morning.

16 If I could, at this time I would like to get  
17 entries of appearance from counsel, beginning with Staff,  
18 please.

19 MR. WILLIAMS: Nathan Williams and Steve  
20 Dottheim, Box 360, Jefferson City, Missouri, 65102.

21 JUDGE PRIDGIN: Thank you, Mr. Williams.  
22 Anyone here on behalf of the Office of the Public Counsel?

23 MR. MICHEEL: That would be me, your Honor.  
24 Douglas E. Micheel appearing on behalf of the Office of the  
25 Public Counsel and the public.

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1 JUDGE PRIDGIN: Thank you, Mr. Micheel. On  
2 behalf of Aquila?

3 MR. BOUDREAU: Let the record reflect the  
4 appearance of Paul Boudreau with the law firm Brydon,  
5 Swearngen & England, Post Office Box 456, Jefferson City,  
6 Missouri, on behalf of applicant Aquila, Inc.

7 JUDGE PRIDGIN: Thank you, Mr. Boudreau.

8 I believe I also have some intervenors in this  
9 case. On behalf of Sedalia Industrial Energy Users  
10 Association and Ag Processing?

11 MR. CONRAD: Stuart W. Conrad of the law firm  
12 Finnegan, Conrad & Peterson, 1209 Penntower, 3100 Broadway,  
13 Kansas City, Missouri 64111.

14 JUDGE PRIDGIN: Thank you, Mr. Conrad.

15 On behalf of the State of Missouri?

16 JUDGE REGISTER: Shelly Woods for Ron Molteni,  
17 M-o-l-t-e-n-i, Post Office Box 899, Jefferson City, Missouri  
18 65102. It's Ron Molteni, Assistant Attorney General.

19 JUDGE PRIDGIN: Thank you, Ms. Woods.

20 And I believe I also have a pending motion for  
21 intervention from KCP&L which was filed on June 26th. Is  
22 anyone here on behalf of KCP&L?

23 MR. FISCHER: Yes, your Honor. James M.  
24 Fischer, Fischer & Dority, P.C., 101 Madison Street,  
25 Suite 400, Jefferson City, Missouri 65101, appearing on

1 behalf of Kansas City Power & Light.

2 JUDGE PRIDGIN: Thank you, Mr. Fischer. As  
3 I'm sure the parties know, I've not yet ruled on this  
4 application to intervene. The ten days to reply has not yet  
5 run. Do any of the parties know right now whether or not  
6 they would object to that application?

7 MR. CONRAD: We do, your Honor, and we will  
8 have no objection.

9 JUDGE PRIDGIN: Any other parties have any  
10 input on that?

11 MR. BOUDREAU: I suspect that we are going to  
12 be filing something opposing the intervention, and I'll try  
13 to do that as quickly as possible.

14 JUDGE PRIDGIN: That's fine. As long as I  
15 know at least one party potentially objects, I certainly  
16 won't rule on that application for now. Mr. Williams?

17 MR. WILLIAMS: Judge, Staff has no objections  
18 to that intervention.

19 JUDGE PRIDGIN: I believe the ten days would  
20 run July 6, which would be Sunday, so that would give it  
21 until the 7th to file if anybody has any objections, and  
22 then we'll rule on that from that.

23 Because KCP&L may or may not be a party, do  
24 any of the parties have any objection to at least including  
25 KCP&L in with your settlement discussions, realizing that

1 they may or may not ultimately be a party?

2 MR. BOUDREAU: I have no objection with one  
3 caveat. If we get into speaking about confidential  
4 information, which is not likely today, in all frankness,  
5 we'll have to among ourselves figure out how to work that  
6 out.

7 JUDGE PRIDGIN: That's fine.

8 MR. BOUDREAU: With that exception.

9 JUDGE PRIDGIN: Thank you, Mr. Boudreau. Any  
10 other qualms with at least letting KCP&L in on your  
11 discussions for now?

12 (No response.)

13 Okay. Obviously the main purpose for having  
14 the prehearing conference is to make sure we get all the  
15 parties and potential parties in one room to hopefully iron  
16 out your differences and, if not, to come up with a proposed  
17 procedural schedule. I believe that is due July 9th. I  
18 built in an extra day to cover for the July 4th holiday.

19 If anybody has any kind of questions or  
20 concerns as far as times, when I would be available, when  
21 the Commission would be available, I'm available up on the  
22 9th Floor. We have a calendar there by Judge Roberts'  
23 office if anybody wants to consult as far as dates.

24 I have no idea what kind of time frame you're  
25 looking at, but just in case, if I can let everyone know, I

1 will be unavailable the week of August 25th. I'm not  
2 suggesting that you would necessarily be ready by then, but  
3 just in case, I didn't want everybody to say, hey, that  
4 would be a great week and me say, well, that's terrible for  
5 me, go back and try again.

6                   That is in no way trying to say that I expect  
7 you to have anything ready. I just wanted to let you know  
8 off the top of my head.

9                   MR. MICHEEL: You don't have to worry about  
10 that date, your Honor.

11                  JUDGE PRIDGIN: I didn't think so, but I  
12 thought just in case.

13                  I don't think I have any other pending  
14 motions. Is there anything else that any of the parties  
15 would like to bring to my attention at this time?

16                  MR. WILLIAMS: Judge, I'll just point out that  
17 the Staff has circulated a proposed schedule. We haven't  
18 gotten back from all the parties. And the hearing dates we  
19 were looking at were late October.

20                  JUDGE PRIDGIN: All right. Very good. Thank  
21 you, Mr. Williams.

22                  Anything else that the parties would like to  
23 bring to my attention?

24                  (No response.)

25                  All right. Hearing nothing, you have access



1 to this room until five o'clock this afternoon. If anybody  
2 needs me, I can be reached on the ninth floor. The  
3 calendar's on the ninth floor if you have any questions  
4 about dates.

5                   Hearing nothing further, this prehearing  
6 conference is adjourned. Thank you.

7                   WHEREUPON, the recorded portion of the  
8 prehearing conference was concluded.

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