

THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Prehearing

June 2, 2015

Jefferson City, Missouri

Volume 1

MELANIE AND JAMES CONEY,)

Complainants,)

vs.)

KCP&L GREATER MISSOURI)
OPERATIONS COMPANY,)

Respondent.)

File No. EC-2015-0185

MICHAEL BUSHMAN

SENIOR REGULATORY LAW JUDGE.

REPORTED BY:
ANGIE D. THRELKELD, CCR
TIGER COURT REPORTING, LLC

A P P E A R A N C E S

(By telephone)

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1 JUDGE BUSHMAN: Let's go on the record.
2 Today is June 2nd, 2015, at 2:00 p.m. The
3 Commission has set this time for a procedural
4 conference in the case captioned as Melanie and
5 James Coney, Complainants versus KCP&L Greater
6 Missouri Operations Company, Respondent, File
7 Number EC-2015-0185.

8 My name is Michael Bushman. I'm the
9 regulatory law judge in this matter. We'll begin
10 with attorneys making their entries of appearance.

11 Melanie Coney is appearing by telephone.
12 Mrs. Coney, are you going to be representing
13 yourself in this matter?

14 MS. CONEY: Yes.

15 JUDGE BUSHMAN: And I understand you've
16 probably not been a party to any complaints in
17 front of the Commission before; is that right?

18 MS. CONEY: Correct.

19 JUDGE BUSHMAN: Okay. So I'll explain
20 just a little bit about what's going to happen.
21 We're going to talk a little bit about a few things
22 on the record. And then we're going to go off the
23 record, and I'm going to leave. And then the
24 parties can talk about anything they want to after
25 that. So if there's any point while we're on the

1 record here where you have questions, just stop me
2 and ask me and I'll try and explain.

3 MS. CONEY: Okay.

4 JUDGE BUSHMAN: And appearing for KCP&L
5 Greater Missouri Operations Company.

6 MR. STEINER: Roger W. Steiner. My
7 address is 1200 Main Street, Kansas City, Missouri
8 64105.

9 JUDGE BUSHMAN: And no one from Public
10 Counsel.

11 Commission staff.

12 MR. BERLIN: Thank you, Judge.
13 Appearing on behalf of the staff of the Missouri
14 Public Service Commission are Robert S. Berlin and
15 Hampton Williams, Post Office Box 360, Jefferson
16 City, Missouri 65102.

17 JUDGE BUSHMAN: Okay. Thank you.

18 First thing, in the order directing
19 notice in this complaint I stated that the case was
20 not going to be treated as a small complaint case,
21 because the total amount of rebates and metering
22 did seem to be more than \$3,000. There's nothing
23 in the pleadings that indicates an amount in
24 dispute. So were there any parties that disagree
25 with following the formal complaint process in this

1 case?

2 Mrs. Coney, do you think that the amount
3 in dispute, if you added up the rebates that were
4 at issue and the net metering amounts, do you think
5 that that would be more than \$3,000?

6 MS. CONEY: Yes, I do.

7 JUDGE BUSHMAN: Okay. I just want to
8 confirm that.

9 MS. CONEY: Sure.

10 JUDGE BUSHMAN: So it sounds like we do
11 have an ongoing dispute. So the next step in the
12 process would be for the parties to propose a joint
13 procedural schedule. So I'm going to ask that the
14 parties file a joint proposed procedural schedule
15 no later than Wednesday, June 10th. That proposed
16 procedural schedule should include dates for
17 discovery deadlines, dates for prefiled testimony,
18 joint stipulation of material nondisputed facts,
19 list of issues and witnesses, the order of openings
20 and cross-examination, position statements,
21 proposed dates for the hearing and for post-hearing
22 briefs.

23 And I should note that, according to
24 recent practice, the Commissioners like to get the
25 position statements about a week before the

1 scheduled hearing, which may be a change from what
2 was customary in the past.

3 Is there anybody that has anything they
4 need to bring before me while we're on the record
5 or, Mrs. Coney, do you have any questions about
6 anything that we just discussed?

7 MS. CONEY: What -- when you say -- the
8 one part I didn't hear what you were meaning, the
9 position Commission statements or stations. I'm --
10 I didn't hear that quite well.

11 JUDGE BUSHMAN: One of the things that
12 the commissioners receive customarily before an
13 evidentiary hearing is a statement from each of the
14 parties about what their position is on any issue
15 that's in dispute. So usually what happens is the
16 parties come to an agreement about what issues
17 exist in the case, and then they submit a writing
18 just saying what their position is with regard to
19 each issue so the commissioners know that going
20 into the hearing.

21 Now, one thing that I'm sure that the
22 parties will do once we go off the record is talk
23 about what would be a good schedule for everyone as
24 far as the dates for each of those events that I
25 just listed, and so you'll be able to have further

1 discussion about when would be a good time to
2 submit that information after I leave.

3 Does that answer your question okay?

4 MS. CONEY: Yes.

5 JUDGE BUSHMAN: Was there anything else
6 you needed to ask about?

7 MS. CONEY: Nope. That was it.

8 JUDGE BUSHMAN: And is there anything
9 else from any other party?

10 MR. BERLIN: Judge, I would --

11 MR. STEINER: Judge -- or, go ahead,
12 Staff. Go ahead.

13 MR. BERLIN: Yeah, this is Bob Berlin,
14 counsel for staff. I just wanted the record to
15 reflect that in the room today is Claire Eubanks, a
16 staff engineer who has been working on the report
17 and had submitted the report that was filed in this
18 case. So she's here and available for any
19 questions that Mrs. Coney might have.

20 JUDGE BUSHMAN: Mr. Steiner?

21 MR. STEINER: Yeah, also I have several
22 people in the room to answer questions also.
23 Kristin Riggins, Lori Shaffer, and Lois Liechti.

24 And I wanted to make one other statement
25 on the record; that part of the complaint deals

1 with the net metering issue, and it's my
2 understanding that today that the equipment passed
3 inspection and the net meter was installed this
4 morning.

5 MS. CONEY: Right, as of 9:50 this
6 morning.

7 JUDGE BUSHMAN: Okay. Well, if there's
8 nothing further, then we will go off the record.
9 You have the phone bridge open till 4:00. And I'm
10 going to leave a copy with staff of the
11 adjudication calendar for the next six months so
12 that you can look at that in looking at the dates.

13 Thank you all.

14 (Off the record.)
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CERTIFICATE OF REPORTER

I, Angie D. Threlkeld, a Certified Court Reporter, CCR No. 1382, the officer before whom the foregoing hearing was taken, do hereby certify that the foregoing hearing was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Angie D. Threlkeld

Angie D. Threlkeld, CCR



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