

1 BEFORE THE PUBLIC SERVICE COMMISSION

2 STATE OF MISSOURI

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4 TRANSCRIPT OF PROCEEDINGS

5 Conference

6 November 1, 2011

7 Jefferson City, Missouri

8 Volume 1

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11 In the Matter of

12 The Empire District Electric)

13 Company's Application For)

14 Variance Concerning) File No. EE-2012-0095

15 Commission Rule)

16 4 CSR 240-22-080)

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18 MORRIS L. WOODRUFF, Presiding

 CHIEF REGULATORY LAW JUDGE

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23 REPORTED BY:

 NANCY L. SILVA, RPR, CCR

24 TIGER COURT REPORTING, LLC

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A P P E A R A N C E S

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Commission

1 JUDGE WOODRUFF: Good afternoon,
2 everyone. This is the conference scheduled for
3 Case No. EE-2012-0095. We'll begin today by
4 taking entries of appearance beginning with
5 Empire.

6 MS. CARTER: Diana Carter and Dean
7 Cooper with Brydon, Swearngen and England, P.C.
8 The address is on the written entry of
9 appearance.

10 JUDGE WOODRUFF: For Staff.

11 MS. KLIETHERMES: Sarah Kliethermes,
12 and other counsel is Amy Moore, for the staff
13 of the Missouri Public Service Commission,
14 P.O. Box 360, Jefferson City, Missouri 65101.

15 JUDGE WOODRUFF: Office of Public
16 Counsel.

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

21 JUDGE WOODRUFF: And for DNR.

22 Jennifer Frazier with the Attorney
23 General's office -- my address is on my Motion
24 for Intervention and Entry of Appearance --
25 representing Department of Natural Resources.

1 JUDGE WOODRUFF: And Ms. Young, did
2 you want to enter an appearance also?

3 MS. YOUNG: No, thank you.

4 JUDGE WOODRUFF: All right.

5 The parties will take note that I
6 issued an order this morning granting DNR's
7 application to intervene, so that's in the
8 record now.

9 I believe that is all the parties.
10 I scheduled this conference so that we have a
11 chance for you-all to get together and discuss
12 how you wish to proceed in this case.

13 My questions are -- and you don't
14 have to answer it for me today. Something I
15 expect to discuss today is whether, in fact,
16 there are any disputed issues; if the parties
17 can all reach an agreement, then that's
18 wonderful and that will be a shortened case;
19 if there are any disputed issues; are there any
20 factual issues that would require a hearing, or
21 possible to, you know, resolve this through
22 written submissions rather than needing to take
23 any sort of evidence?

24 As I indicated, I'm not going to
25 expect you to answer that on the spot here, but

1 I will give you an opportunity to discuss this
2 amongst yourself, and I'll leave the room and ask you
3 to file written suggestions on how to proceed by a
4 week from today, which will be November 8.

5 Is there anything else anyone wants to
6 bring up while we're on the record?

7 (No response.)

8 JUDGE WOODRUFF: All right. I don't hear
9 anything, so with that we'll end the on-the-record
10 portion of this conference and I'll leave you to your
11 discussions.

12 Thank you.

13 (The hearing concluded.)

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CERTIFICATE

I, Nancy L. Silva, RPR, a Certified Court Reporter, CCR No. 890, the officer before whom the foregoing hearing was taken, do hereby certify that the witness whose testimony appears in the foregoing hearing was duly sworn; that the testimony of said witness 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.

Nancy L. Silva, RPR, CCR

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