

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Prehearing

December 6, 2006
Jefferson City, Missouri
volume 1

RICHARD D. SMITH,)
)
Petitioner,)
)
vs.) Case No. EC-2007-0106
)
Union Electric Company, d/b/a)
AmerenUE)
)
Respondent.)

HAROLD STEARLEY, Presiding
REGULATORY LAW JUDGE

REPORTED BY: Monnie S. VanZant, CCR, CSR, RPR
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1 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 STEARLEY: Okay. We'll go ahead and go on
3 the record, then. Good morning. It's December 6th, 2006,
4 and we are here for a prehearing conference in the case
5 Richard D. Smith versus Union Electric Company doing
6 business as AmerenUE. It's Case No. EC-2007-0106.

7 My name is Harold Stearley. I'm the presiding
8 officer in this matter. Our court reporter this morning
9 is Monnie VanZant.

10 And we will now take entries appearance. And,
11 Mr. Smith, I will begin with you, if you will please state
12 your name and address for the record.

13 MR. SMITH: Uh-huh. My name is Richard D.
14 Smith. I'm at 12787 John Smith Road in Potosi, Missouri,
15 63664.

16 JUDGE STEARLEY: All right. Thank you,
17 Mr. Smith. And for AmerenUE?

18 MR. LOWERY: Thank you, your Honor. My name is
19 James B. Lowery with the law firm of Smith Lewis, LLP,
20 P.O. Box 918, Columbia, Missouri, 65205, appearing on
21 behalf of AmerenUE.

22 JUDGE STEARLEY: Okay. And, Ms. Tatro, did you
23 want to enter your appearance as well?

24 MS. TATRO: I'm not going to enter my
25 appearance.

1 JUDGE STEARLEY: Okay. Thank you, Mr. Lowery.

2 And for Black River Electric Co-op?

3 MR. REID: Scott Reid, Post Office Box 151,

4 Fredericktown, Missouri, 63645.

5 JUDGE STEARLEY: All right. Thank you,

6 Mr. Reid. And for Staff of the Missouri Public Service

7 Commission?

8 MR. WILLIAMS: Nathan Williams, Deputy General

9 Counsel, P.O. Box 360, Jefferson City, Missouri, 65102.

10 JUDGE STEARLEY: Okay. Thank you, Mr. Williams.

11 And let the record reflect that no one is present for the

12 Office of Public Counsel.

13 All right. Well, our prehearings are set up to

14 give the parties an opportunity to get together and

15 discuss the issues in their cases.

16 If it's possible that they reach a settlement,

17 they can discuss settlement. If not, they can work on

18 clearly defining the issues and putting together a

19 procedural schedule by which we will continue on and may

20 end up having an evidentiary hearing in this matter.

21 I don't believe we have any pending motions or

22 pending matters before the Commission in this case at this

23 time, do we?

24 MR. LOWERY: Not that I'm aware of, your Honor.

25 This is Jim Lowery.

1 JUDGE STEARLEY: All right. And Mr. Mills from
2 OPC has just joined us. I'll let him make his entry of
3 appearance.

4 Mr. MILLS: I apologize for coming in late. I
5 was trapped in another hearing -- meeting. My name is
6 Lewis Mills. I'm appearing on behalf of the Office of
7 Public Counsel and the public. My address is Post office
8 Box 2230, Jefferson City, Missouri, 65102.

9 JUDGE STEARLEY: Okay. Thank you, Mr. Mills. I
10 was just explaining to Mr. Smith and the remainder of the
11 parties the purpose of our prehearing conference this
12 morning and noted that I don't believe we have any
13 outstanding matters before the Commission right now.

14 I did ask for a procedural schedule to be
15 submitted by December 13th. And I had intended to bring
16 down a calendar of our hearings, but I forgot to bring one
17 with me this morning, so I apologize for that.

18 If the parties like, I can run up and print you
19 out one and run it back down to you. But I don't want to
20 interrupt your deliberations either.

21 MR. WILLIAMS: I would suggest if we get to the
22 point of where we're looking at dates, someone from here
23 can go up and take a look at the calendar upstairs.

24 JUDGE STEARLEY: All right. Okay. Well, very
25 good, then. If there's nothing else that needs to be

1 addressed at this time, we will end the record portion of
2 this pre-hearing conference, and I will leave you all to
3 your discussions.

4 MR. SMITH: Judge Stearley, this is Richard
5 Smith. I had trouble hearing. I didn't hear that last
6 statement from the attorney. Can you rephrase what he
7 said?

8 JUDGE STEARLEY: Sure. Mr. Williams stated that
9 if we get to the point of discussing dates for an
10 evidentiary hearing that someone can just run up and check
11 our hearings calendar.

12 MR. SMITH: Okay. Yeah. I missed that. I
13 couldn't hear.

14 JUDGE STEARLEY: That's -- that's all right.
15 Are you hearing me clearly right now?

16 MR. SMITH: Well, it's a little weak, but I'm
17 making it.

18 JUDGE STEARLEY: Okay. Well, I'm sure everyone
19 can speak up, and make sure you can hear them speaking.
20 And with that, we will go off the record. Thank you all
21 very much.

22 MR. LOWERY: Thank you.

23 MR. REID: Thank you.

24 MR. SMITH: Thank you.

25