

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Prehearing Conference

February 8, 2007
Jefferson City, Missouri
Volume 1

EVA OWEN,)
)
Petitioner,)
)
vs.) Case No. EC-2007-0197
)
UNION ELECTRIC COMPANY, d/b/a)
AMERENUE)
)
Respondent.)

CHERLYN D. VOSS, Presiding
REGULATORY LAW JUDGE

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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 VOSS: All right. Let's go on the record.
3 We're here today in the case of Eva Owen as a Complainant
4 versus Union Electric Company doing business as AmerenUE.
5 Commission Case No. EC-2007-0197.

6 We're going to begin with entries of appearance
7 beginning with the Complainant, Ms. Owen.

8 Ms. Owen, just state your name and that you're
9 representing yourself, please.

10 MS. OWEN: My name is Eva Owen, and I am
11 representing myself.

12 JUDGE VOSS: Thank you. Attorney and counsel
13 for Union Electric Company?

14 MS. TATRO: Wendy Tatro, and I need to make a
15 verbal motion to be admitted pro hac vici subject to
16 filing the appropriate paperwork later.

17 JUDGE VOSS: That request is granted against
18 pending receipt of the appropriate paperwork.

19 MS. TATRO: Thank you.

20 JUDGE VOSS: And representing the Staff?

21 MR. WILLIAMS: Nathan Williams, Deputy General
22 Counsel, P.O. Box 360, Jefferson City, Missouri, 65102.

23 JUDGE VOSS: And we'll let the record show that
24 the Office of Public Counsel is not represented. Okay.

25 MS. OWEN: Who was the last guy that spoke up?

1 JUDGE VOSS: That's Nathan Williams.

2 MR. WILLIAMS: Staff attorney.

3 MS. OWEN: For AmerenUE?

4 MR. WILLIAMS: No.

5 JUDGE VOSS: He's from the Commission Staff.

6 MS. OWEN: For the Commission Staff. Okay.

7 JUDGE VOSS: Ms. Tatro represents the company.

8 MS. OWEN: Okay.

9 JUDGE VOSS: And the other people that called in
10 are also people for the company that might be able to
11 answer questions.

12 MS. OWEN: Okay.

13 JUDGE VOSS: All right. Let's see. I had a
14 couple things I wanted to discuss briefly before I head
15 out. The Staff Rec., because it was filed HC, was Ms.
16 Owen given an HC version because she's not an attorney?

17 MR. WILLIAMS: Sure.

18 JUDGE VOSS: So I wasn't sure. Ms. Owen, did
19 you receive a full copy of the Staff recommendation?

20 MS. OWEN: I believe I did. Let me look here a
21 minute.

22 JUDGE VOSS: Okay. If it had words on it, you
23 got the copy.

24 MR. WILLIAMS: Under the rule --

25 MS. OWEN: That would have been from -- from the

1 PSC?

2 JUDGE VOSS: Yes.

3 MS. OWEN: Yeah. I did -- I do believe I
4 received that.

5 JUDGE VOSS: Just so you know, when a document's
6 marked HC, it means that you're not allowed to disseminate
7 or give that to anyone outside the Commission without
8 authorization.

9 MS. OWEN: Not even my attorney?

10 JUDGE VOSS: If you have an attorney
11 representing you in this case before the Commission, yes.

12 MS. OWEN: But I can give it to my attorney,
13 then?

14 JUDGE VOSS: Is your attorney representing --

15 MS. OWEN: Well, I'm -- I'm going through these
16 first two steps. And if I have to, I'm going to -- I've
17 spoken with them, but I'm not -- you know, I don't know if
18 it's got HC on it. I found something here --

19 JUDGE VOSS: HC means highly confidential. It's
20 a new Commission rule.

21 MS. OWEN: I don't see anything with HC on them.
22 I see a bunch of things with EC on them, but I don't see
23 anything with HC on it.

24 JUDGE VOSS: Well, the HC would be at the bottom
25 of the page. Do you have the Staff recommendation itself?

1 MS. OWEN: I don't see anything like that. I
2 have some papers with EC at the top. It's like -- looks
3 like part of the case number.

4 JUDGE VOSS: Do you see the document that says
5 Staff Recommendation? It does have EC at the top?

6 MS. OWEN: Okay. Do you have a date on that,
7 what date it would have been?

8 JUDGE VOSS: It was filed on the 3rd of January,
9 I think. Yeah.

10 MS. OWEN: I do not see anything that has HC on
11 it.

12 JUDGE VOSS: Well, it's on the back of it.

13 MS. OWEN: I wasn't aware that it wasn't to be
14 disseminated, but.

15 JUDGE VOSS: Well, it's something that's highly
16 confidential.

17 MS. VOSS: Well, I do have what I think you're
18 talking about signed by Thomas Byrne.

19 JUDGE VOSS: No. That's the Answer. You should
20 have the Staff Recommendation. And it's one -- three
21 pages, and it's got a memo attached to it that has HC
22 stamped in the bottom right-hand corner.

23 MS. TATRO: Excuse me, your Honor.

24 MS. OWEN: Would that be the rules of the
25 Department of Economic Development? That's a whole bunch

1 of pages.

2 JUDGE VOSS: I just want to make sure you got a
3 copy that's got the -- I'm going to ask Staff to make sure
4 you got a copy. If you can't find it --

5 MS. OWEN: I think I've got a copy of that right
6 here. Would that be signed by Nathan Williams on January
7 3rd?

8 JUDGE VOSS: Yes, it is.

9 MS. OWEN: Yes, I do.

10 JUDGE VOSS: Do you see the attachment to that?

11 MS. OWEN: Yes.

12 JUDGE VOSS: Does that have HC at the bottom or
13 has it basically got blank lines on it?

14 MS. OWEN: Well, I don't see anything with HC on
15 it. Everything has got EC. Oh, yes. I see what you're
16 talking about now on the back of it.

17 JUDGE VOSS: Yeah. Does it say HC and you have
18 the words?

19 MS. OWEN: HC, Appendix A?

20 JUDGE VOSS: Yes. If it says HC, you got the
21 full copy because the other copy has all the stuff that's
22 underlined removed from it.

23 MS. OWEN: Okay.

24 JUDGE VOSS: Does anybody -- do either of the
25 parties have a problem with Ms. Owen giving this document

1 to her attorney?

2 MS. TATRO: For her information, I think she --

3 JUDGE VOSS: I'm just asking because it's marked
4 HC.

5 MS. TATRO: Yeah. I don't have a problem.

6 JUDGE VOSS: I think we have some confusion on
7 the rule. And I'll bring it upstairs and we'll see if we
8 can work out interpretation issues. I know it's not the
9 intention that Staff has to file every Staff
10 Recommendation HC and go through all that hassle.

11 MR. WILLIAMS: I just was complying with the
12 rule. I will point out there are tariff provisions that
13 are included as part of that that are designated HC
14 because of the rule which are actually public.

15 JUDGE VOSS: That's what I was thinking when I
16 looked at the document. So there may be confusion or
17 issues with the language in the rule that needs to be
18 addressed. And I'm going to take it upstairs.

19 But aside from that, are there any other issues
20 that I need to address before -- during the on-the-record
21 portion?

22 Okay. I'll just remind the parties that you're
23 here today to discuss any potential for settlement, and if
24 that's not possible, to come up with a procedural schedule
25 which may include testimony but will definitely include a

1 hearing date. And I would like that procedural schedule
2 by the 16th. And I actually have a copy that I'm going to
3 give to Mr. Williams since no one else is here that has
4 the Commission's current calendar on it up through June so
5 that if a hearing date needs to be selected, you'll be
6 able to do that.

7 Hearing no further issues for me to address,
8 this will end the on-the-record portion. And I will head
9 upstairs. I'll be up there if you guys need me for
10 anything.

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