

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
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6 TRANSCRIPT OF PROCEEDINGS
7 Prehearing Conference
8 August 10, 2005
9 Jefferson City, Missouri
Volume I
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12 Damon Andersson,)
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13 Complainant,)
)
14 v.)
) Case No. EC-2005-0398
15 Union Electric Company)
d/b/a AmerenUE,)
16)
Respondent.)
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21 RONALD D. PRIDGIN, Presiding,
REGULATORY LAW JUDGE
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24 REPORTED BY:
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MIDWEST LITIGATION SERVICES

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1 P R O C E E D I N G S

2 JUDGE PRIDGIN: Good morning. We're on
3 the record. This is the prehearing conference in
4 Case No. EC2005-0398, Damon Andersson versus Union
5 Electric Company, doing business as Ameren UE.

6 I'm Ron Pridjin, the regulatory law
7 judge assigned to preside over this case. This
8 prehearing conference is being held on August 10th,
9 2005, and we're in the Governor Office Building, and
10 the time is approximately 10:10 a.m.

11 We're here because of my August 2nd
12 Order setting this case for prehearing conference.
13 And what I'd like to do is get entries of appearance
14 from counsel, beginning with staff, please.

15 MR. DOTTHEIM: Steven Dottheim, Post
16 Office Box 360, Jefferson City, Missouri 65102,
17 appearing on behalf of the staff of the Missouri
18 Public Service Commission.

19 JUDGE PRIDGIN: Mr. Dottheim, thank you.
20 On behalf of Ameren UE, please?

21 MR. BYRNE: Yes, Judge. I'm Thomas M.
22 Byrne. My address is 1901 Chouteau Avenue, St.
23 Louis, Missouri 63103.

24 JUDGE PRIDGIN: Okay, Mr. Byrne, thank
25 you.

1 Mr. Andersson, would you please state
2 your name and address, sir?

3 MR. ANDERSSON: Damon E. Andersson. I
4 live at 1 El Perro Drive, St. Peters, Missouri 63376.

5 JUDGE PRIDGIN: Mr. Andersson, thank
6 you, sir.

7 Is there anyone here on behalf of the
8 Office of Public Counsel?

9 (NO RESPONSE.)

10 JUDGE PRIDGIN: All right. I'm seeing
11 no response. And Mr. Dottheim, did I understand that
12 before we went on the record, you spoke to an
13 attorney from OPC, and no counsel intends to be here
14 today?

15 MR. DOTTHEIM: Yes. I spoke with
16 Mr. Douglas Micheel, and he indicated that the Office
17 of Public Counsel would not -- would not be in
18 attendance today.

19 JUDGE PRIDGIN: All right, Mr. Dottheim,
20 thank you. What I'd like to do is real briefly
21 explain why I called you here, and specifically for
22 Mr. Andersson, since he's not represented.

23 The purpose of this conference is to get
24 people together at least once so I know that they've
25 at least tried to settle this dispute. And if you're

1 unable to settle, another purpose of this conference
2 is to allow you to start discussing when you think
3 you'd like to have a hearing. You know, what type of
4 preparation you think you'll need, what type of
5 preparation the company thinks it might need, et
6 cetera.

7 And so my purpose here is going to be
8 pretty limited. I'm just going to go over a few
9 things, and then I'm going to leave the room and
10 allow you to -- to talk, basically.

11 Mr. Dottheim, something to keep in mind:
12 When we start going through a proposed procedural
13 schedule, is that I know the Commission sometimes
14 prefers not to have prefiled testimony in these pro
15 se complaints, so if you get to that, you might want
16 to consider submitting alternative schedules, one
17 with and one without prefiled, and I can present
18 those to the Commission.

19 MR. DOTTHEIM: Okay. Very good. And
20 Judge, would you like the staff to serve in the usual
21 role as far as presenting, if we can reach agreement
22 on a procedural schedule if we get to that point,
23 have the staff submit a proposed procedural schedule
24 that hopefully all the parties have been able to
25 agree upon?

1 JUDGE PRIDGIN: Yes, sir. Yes, sir,
2 please. And just so everyone knows, I mean, you have
3 this room for the rest of the day, however long you'd
4 like to talk. Of course my office is up on the ninth
5 floor if anybody needs to check for hearing dates,
6 and my office is also up there if anybody has
7 anything to bring up with me.

8 Mr. Andersson, is there anything in
9 particular I can address? We can't really talk about
10 the case so much, but as far as how we're going
11 forward? Do you have any specific concerns or
12 questions?

13 MR. ANDERSSON: No. You know, I'm not
14 an attorney or anything so I'm not familiar with what
15 exactly we're doing here in terms of -- I mean, you
16 explained that you want us to discuss the case, and I
17 guess what they're expecting out of me if this is
18 gonna go to a hearing and what I'd like to have out
19 of them in terms of evidences or whatever.

20 You know, I'm -- I'm just at a loss, you
21 know. This is not something I do.

22 JUDGE PRIDGIN: I understand, I
23 understand. From what you've told me, you seem to
24 understand the process pretty well. This is just
25 kind of the beginning, if you will. Again, this is

1 just at least so I know that we've had one
2 opportunity for all the parties to get together and
3 to talk and to see if we can resolve this dispute.

4 And if we cannot, that's fine. Then
5 this gives you the chance to get together and see how
6 long you think it would take for the parties to get
7 ready for hearing. In other words, sometimes parties
8 may want to conduct discovery; that is, ask
9 questions, ask for documents. And you're, of course,
10 entitled to do the same from them. To see how long
11 that will take, to see how long you think a hearing
12 would take, how many witnesses the parties might want
13 to put on, that kind of thing.

14 So this is just kind of the beginning,
15 getting ready for the hearing in case you can't
16 settle your dispute. Okay? Do you think you
17 understand kind of the purpose?

18 MR. ANDERSSON: Yes.

19 JUDGE PRIDGIN: All right. Are there
20 any questions really about the procedure that I could
21 answer for you before I excuse myself?

22 MR. BYRNE: No, your Honor.

23 JUDGE PRIDGIN: Okay, Mr. Byrne, thank
24 you.

25 MR. ANDERSSON: I guess not at this

1 time.

2 JUDGE PRIDGIN: Okay. Mr. Andersson,
3 thank you very much. And what I'm going to do here
4 in a moment --

5 MR. DOTTHEIM: Judge?

6 JUDGE PRIDGIN: Mr. Dottheim, is there
7 anything?

8 MR. DOTTHEIM: Yes. Excuse me.

9 JUDGE PRIDGIN: Yes, sir.

10 MR. DOTTHEIM: And you've indicated you
11 will be available?

12 JUDGE PRIDGIN: Yes, sir.

13 MR. DOTTHEIM: You're on the ninth
14 floor --

15 JUDGE PRIDGIN: Yes, sir.

16 MR. DOTTHEIM: -- so if we do have any
17 questions or if Mr. Andersson does later have any
18 questions --

19 JUDGE PRIDGIN: Right.

20 MR. DOTTHEIM: -- we can contact you by
21 visiting your office?

22 JUDGE PRIDGIN: That's correct. And we
23 would probably also -- and Mr. Andersson, if there
24 are any -- any questions, we would probably, since
25 Mr. Byrne is in St. Louis, we would need to contact

1 him by phone to include him in the conversation.

2 It's not proper for me to meet with one
3 party and not the other about this case. So you
4 are -- while you are free to come talk to me, if it's
5 really about the substance of the case, we would need
6 to allow Mr. Byrne to participate as well.

7 MR. ANDERSSON: I understand.

8 JUDGE PRIDGIN: So -- and I figured that
9 you did. And I'm sure Mr. Dottheim will answer any
10 questions you might have. And it sounds like you've
11 talked to Mr. Micheel from the Office of the Public
12 Counsel.

13 MR. ANDERSSON: Yeah, just one time.

14 JUDGE PRIDGIN: All right. And you may
15 also want to talk to them and see if they're able to
16 assist you or not. I don't know.

17 MR. ANDERSSON: Okay. I did talk to one
18 gentleman on the phone who wanted to hear my story
19 per se from the Public Service Commission, and I
20 don't recall who that was.

21 JUDGE PRIDGIN: Okay.

22 MR. ANDERSSON: So it would be nice if I
23 could get that information.

24 JUDGE PRIDGIN: Okay. Sure. And again,
25 this is a big purpose of today, is I'm going to

1 excuse myself in a moment, and you're free to talk
2 and to hopefully settle. Does anybody have any
3 further questions or concerns for me before we go off
4 the record?

5 MR. BYRNE: No, your Honor.

6 JUDGE PRIDGIN: Mr. Byrne, thank you.
7 Mr. Dottheim?

8 MR. DOTTHEIM: Not from the staff.

9 JUDGE PRIDGIN: All right. Thank you.
10 Mr. Andersson, anything else I can answer for you,
11 sir?

12 MR. ANDERSSON: Not at this time.

13 JUDGE PRIDGIN: All right. Thank you.
14 What I'm going to do then is go off the record and
15 excuse myself. I'll ask you folks to remain to talk.
16 I'm gonna leave the speaker phone on. And once the
17 court reporter leaves, you might want to -- I'm sorry
18 we don't have very much room here.

19 You might want to crowd in where she's
20 working so you can hear each other better. And then,
21 Mr. Dottheim, whenever you're finished talking, if
22 you'll just either disconnect the call or let me know
23 if there's any problems you have with the telephone,
24 I would appreciate it.

25 MR. DOTTHEIM: Certainly. Thank you.

1 JUDGE PRIDGIN: And I'll note that my
2 Order has required a proposed schedule by August
3 17th. Obviously if the parties need more time, feel
4 free to -- somebody file a motion, and I'll be glad
5 to entertain that. All right. Anything else?

6 All right. Hearing nothing, that will
7 conclude this prehearing conference in Case No.
8 EC2005-0398. Thank you very much. We're off the
9 record.

10 (WHEREUPON, the prehearing was concluded.)

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