

TRANSCRIPT OF PROCEEDINGS

Prehearing Conference

June 19, 2009
Jefferson City, Missouri
Volume 1

In the Matter of the Tariff)
Filing of Union Electric Company)Case No. EO-2009-0437
d/b/a AmerenUE to Revise the)
Provisions of Rider L)

MORRIS L. WOODRUFF, Presiding
DEPUTY CHIEF REGULATORY LAW JUDGE

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

2 JUDGE WOODRUFF: All right. We're here this
3 morning in the matter of Case No. EO-2009-0437. We're
4 here for a prehearing conference. We'll begin by taking
5 entries of appearance. For AmerenUE?

6 MS. TATRO: Wendy Tatro, 1901 Chouteau Avenue,
7 St. Louis, Missouri, on behalf of UE.

8 JUDGE WOODRUFF: Okay. And for Staff?

9 MS. KLIETHERMIS: Sarah Kliethermis, Suite 800,
10 200 Madison Street, Jefferson City, Missouri.

11 JUDGE WOODRUFF: And for Public Counsel?

12 MR. MILLS: Appearing on behalf of the Office of
13 Public Counsel and the Public, my name is Lewis Mills. My
14 address is Post Office Box 2230, Jefferson City, Missouri,
15 65102.

16 JUDGE WOODRUFF: All right. Thank you very
17 much. And I believe that's all the parties.

18 I called this prehearing conference because we
19 have a hearing scheduled for next week at this time, and
20 we just need to figure out where we're going with that.
21 And my first question, I guess, to the parties is are we
22 going to need a hearing? Is there a possibility of
23 settlement? Anyone want to address that?

24 MS. TATRO: I think we're still working on that.

25 JUDGE WOODRUFF: Okay. And how soon will we

1 know?

2 MS. TATRO: I think probably we would maybe
3 continue that discussion after this prehearing conference
4 is over, and I would be hopeful, given the time that we
5 would know today whether or not we're going to have an
6 agreement.

7 JUDGE WOODRUFF: Okay. Very good. Assuming --
8 of course, hopeful that we have an agreement, but if we
9 don't, we will need to make some arrangements to -- to
10 proceed with the hearing.

11 I want you to think about who -- who witnesses
12 would be, whether, in fact, there are any factual disputes
13 that would require factual witnesses, or is this just a
14 matter of policy that the Commission can decide in how we
15 would have a factual basis for making a decision if that
16 is the case. Order of presentation of witnesses, who goes
17 first in this kind of hearing. I mean, which party goes
18 first. Is there any agreement on statement of facts that
19 you can give, those kinds of questions.

20 MS. TATRO: Excuse me. I'm sorry, your Honor.
21 I have a real hard time hearing you, your Honor. Someone
22 was just shuffling paper, and that's all I could hear. I
23 apologize.

24 JUDGE WOODRUFF: I was just pointing out that if
25 we do need to have a hearing you're going to need to give

1 me a game plan on which to proceed as far as who witnesses
2 would be, which parties would go first, whether there's
3 any factual dispute, if -- if the parties can agree upon a
4 stipulation of facts, that sort of thing. So if there is
5 not agreement, I would ask you to give me a plan of
6 procedure for the hearing by the end of the day on Monday.

7 MS. TATRO: Okay. I think that's doable.

8 JUDGE WOODRUFF: Okay. Anything else anyone
9 wants to bring up while we're on the record?

10 MR. MILLS: Judge, just so you have fair
11 warning, if there isn't an agreement, we -- if there isn't
12 an agreement on settling the case, I'm not sure we're
13 going to reach an agreement on how to proceed with hearing
14 either. Because --

15 JUDGE WOODRUFF: Okay.

16 MR. MILLS: -- because it would be -- given the
17 time that we've devoted to settlement and what that's done
18 to discovery and things like that, I think it's going to
19 be virtually impossible to be ready for a hearing next
20 Friday.

21 JUDGE WOODRUFF: I know the company wants to
22 have this tariff in effect by July, and I -- I think the
23 Commission wants to --

24 MR. MILLS: I understand that.

25 JUDGE WOODRUFF: -- wants to be able to

1 accommodate that if that's appropriate. So --

2 MS. TATRO: Well, AmerenUE has the burden of
3 proof, and we're certainly willing to go forward next
4 Friday if that's what happens because we can't reach a
5 settlement. I would hate to think that -- well, I'll save
6 the rest of that comment for when we're off the record.

7 JUDGE WOODRUFF: Okay. Well, I certainly want
8 to encourage you all to -- to negotiate this. And,
9 certainly, an agreement is the easiest way to resolve this
10 and probably the best way usually. I don't want to say
11 too much about what might come out of the Commission, but
12 we don't always know what's going to come out of the
13 Commission.

14 So anything else you want to bring up while
15 we're on the record? All right. With that, then, we're
16 -- the on-the-record portion of this prehearing conference
17 is adjourned. And I'll leave you to your discussions.
18 Thank you.

19 (The proceedings were concluded at 10:03 a.m.
20 on June 19, 2009.)

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1 REPORTER'S CERTIFICATE

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3 STATE OF MISSOURI)
)ss.
4 COUNTY OF OSAGE)

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6 I, Monnie S. VanZant, Certified Shorthand Reporter,
7 Certified Court Reporter #0538, and Registered
8 Professional Reporter, and Notary Public, within and for
9 the State of Missouri, do hereby certify that I was
10 personally present at the proceedings as set forth in the
11 caption sheet hereof; that I then and there took down in
12 stenotype the proceedings had at said time and was
13 thereafter transcribed by me, and is fully and accurately
14 set forth in the preceding pages.

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16 IN WITNESS WHEREOF, I have hereunto set my hand and
17 seal on June 23, 2009.

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Monnie S. VanZant, CSR, CCR #0539

22 Registered Professional Reporter

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