

1 BEFORE THE PUBLIC SERVICE COMMISSION

2 STATE OF MISSOURI

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4 TRANSCRIPT OF PROCEEDINGS

5 Prehearing Conference

6 December 13, 2011

7 Jefferson City, Missouri

8 Volume 1

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11 In the Matter of

12 The Third Prudence Review)

13 Of Costs Subject To The)

14 Commission-Approved Fuel) File No. EO-2011-0390

15 Adjustment Clause Of KCP&L)

16 Greater Missouri Operations)

17 Company)

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19 HAROLD STEARLEY, Presiding

 DEPUTY CHIEF REGULATORY LAW JUDGE

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24 REPORTED BY:

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25 TIGER COURT REPORTING, LLC

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1 JUDGE STEARLEY: Good morning. It is
2 Tuesday, December 13, 2011. The Commission set this
3 time for a prehearing conference in File No. EO-2011-
4 0390, which is captioned as, In the matter of the
5 third prudence review of costs subject to the
6 Commission approved fuel adjustment clause of KCP&L
7 Greater Missouri Operations Company.

8 My name is Harold Stearley, and I'm the
9 presiding officer over this matter, and we'll begin by
10 taking entries of appearance, starting with KCP&L.

11 MR. FISCHER: Let the record reflect the
12 appearance of James M. Fischer, Fischer and Dority,
13 PC, 101 Madison street, Suite 400, Jefferson City,
14 Missouri, appearing on behalf of the Company today,
15 KCP&L Greater Missouri Operations Company.

16 JUDGE STEARLEY: And the Commission staff.

17 MS. WILLIAMS: Nathan Williams and Amy
18 Moore, P.O. Box 360, Jefferson City, Missouri 65102.

19 JUDGE STEARLEY: Thank you, Mr. Williams.

20 And the Office of Public Counsel.

21 Mr. MILLS: On behalf of the Office of
22 Public Counsel and the public, my name is Lewis
23 Mills. My address is P.O. Box 2230, Jefferson City,
24 Missouri 65102.

25 JUDGE STEARLEY: And the Industrials.

1 MR. CONRAD: Okay. If Mr. Woodsmall hasn't
2 shown up, I'm Stuart Conrad -- and David Woodsmall --
3 Finnegan, Conrad & Peterson, 3100 Broadway, Suite
4 1209, Kansas City, Missouri 64111, and the telephone
5 number is 816.753.1122.

6 JUDGE STEARLEY: Thank you, Mr. Conrad, and
7 you're here for Sedalia Industrial Energy Users and Ag
8 Processing; correct?

9 MR. CONRAD: Yes, that would be correct.
10 Yes. I'm actually just trying to think whether it was
11 the Energy Users Association or the -- I think it was
12 the latter.

13 JUDGE STEARLEY: I also noticed on our
14 automatic parties we have the County of Jackson with
15 Mr. Finnegan represented. I know he's with your
16 office as well, but I don't --

17 MR. CONRAD: Yes. I'm sorry. I think he
18 was going to enter an appearance, but he has not done
19 so at this point -- I didn't hear him, so if you would
20 like to show that, I'll be happy to --

21 JUDGE STEARLEY: Yeah, I just was going to
22 ask if you wanted to enter an appearance for him. If
23 not, I'll just reflect that he did not.

24 MR. CONRAD: Well, if you wanted to do
25 that, that would be fine, sir. I don't -- whatever

1 the proper procedure is.

2 JUDGE STEARLEY: Okay. Well, I think you
3 could probably enter an appearance for him since
4 you're from the same office, unless -- well, unless
5 you've got conflicting interest with -- the County
6 objects, in which that may be a problem, so maybe
7 not. We'll just reflect that Mr. Finnegan is not here
8 today.

9 In terms of our other automatic parties, I
10 have the Commercial Group, AARP, City of Kansas City,
11 the Federal Executive Agencies, and MDNR. Is there
12 anyone appearing on behalf of those parties?

13 (No response.)

14 JUDGE STEARLEY: Okay. Hearing none, we'll
15 reflect they did not enter any appearances.

16 JUDGE STEARLEY: Mr. Lowry e-mailed me
17 yesterday on behalf of Union Electric and asked to be
18 excused from today's rehearing, and I granted him that
19 excusal.

20 Is there anyone else that I might have
21 missed?

22 MR. LUMLEY: Judge, this is Carl Lumley for
23 Dogwood Energy.

24 JUDGE STEARLEY: Sorry, Mr. Lumley. I
25 didn't mean to skip over you there. We'll reflect

1 that you've entered your appearance for Dogwood
2 Energy.

3 Are there any preliminary matters we need
4 to take up?

5 (No response.)

6 JUDGE STEARLEY: Hearing none, I did have a
7 question about -- if I could get an idea of general
8 timing for when you think this hearing may be or when
9 a Commission decision is needed.

10 Our calendar's starting to fill, and the
11 RLJs may do some shifting of their assignments kind of
12 based on how these things are mapping out, so I don't
13 know if you have a general perspective --

14 MR. FISCHER: Judge, I'm sure that will be
15 the main topic here in a minute. I did pencil
16 together a possible procedural schedule, which would
17 have a hearing in May, mid-May, but that's something
18 to visit about.

19 MS. WILLIAMS: And Staff put one together
20 based on time lines that was done in a similar-type
21 case involving Union Electric Company, and it came out
22 mid-April.

23 JUDGE STEARLEY: Okay. Well, that's
24 helpful. That will help us kind of adjust our
25 assignments upstairs.

1 Is there anything else we need to discuss
2 on the record?

3 (No response.)

4 JUDGE STEARLEY: Hearing nothing, we'll go
5 ahead and conclude the on-the-record portion of this.
6 I left a couple of our copies of an adjudication
7 calendar with the parties here in the room, so that
8 will hopefully help with your planning.

9 Thank you all for coming this morning.

10 (The hearing concluded.)

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2 CERTIFICATE

3 I, Nancy L. Silva, RPR, a Certified Court
4 Reporter, CCR No. 890, the officer before whom the
5 foregoing hearing was taken, do hereby certify that
6 the witness whose testimony appears in the foregoing
7 hearing was duly sworn; that the testimony of said
8 witness was taken by me to the best of my ability and
9 thereafter reduced to typewriting under my direction;
10 that I am neither counsel for, related to, nor
11 employed by any of the parties to the action in which
12 this hearing was taken, and further, that I am not a
13 relative or employee of any attorney or counsel
14 employed by the parties thereto, nor financially or
15 otherwise interested in the outcome of the action.

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18 Nancy L. Silva, RPR, CCR
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