

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
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6 TRANSCRIPT OF PROCEEDINGS
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8 PREHEARING CONFERENCE
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10 September 7, 2005
11 Jefferson City, Missouri
12 Volume 3
13
14 Rhonda Wesley,)
15 Complainant,)
16 vs.) Case No. EC-2005-0245
17 Kansas City Power & Light,)
18 Respondent.)
19
20 MORRIS L. WOODRUFF, Presiding,
21 SENIOR REGULATORY LAW JUDGE.
22
22 REPORTED BY:
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Commission.

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

2 JUDGE WOODRUFF: Good morning, everyone. We're
3 here for a prehearing conference in the case of EC-2005-0245,
4 which is Rhonda Wesley versus Kansas City Power & Light.

5 We'll begin -- begin by taking entries of
6 appearance, beginning with Ms. Wesley. And Ms. Wesley has not
7 joined us on the telephone conference, although a notice
8 advising the parties on how to participate in this prehearing
9 conference by telephone was issued on September 1st. She has
10 not called in, and she's not here in person.

11 Who's here for KCPL?

12 MR. LING: My name is Paul Ling. I'm an attorney
13 on behalf of Kansas City Power & Light. My address is
14 1201 Walnut, 12th Floor, Kansas City, Missouri 64106.

15 JUDGE WOODRUFF: Okay. And the appearance for
16 Staff?

17 MR. BERLIN: Robert S. Berlin and Steve Dottheim,
18 Post Office Box 360, Jefferson City, Missouri 65102, appearing
19 on the behalf of the Staff of the Missouri Public Service
20 Commission.

21 JUDGE WOODRUFF: All right. Well, the purpose of
22 this prehearing conference was to choose a date for the
23 hearing and make arrangements for that. It's gonna be a
24 little difficult to do without -- with Ms. Wesley not here.

25 And I'm not sure what the Commission is gonna do,

1 if they'll entertain a motion to dismiss and the -- what might
2 happen with that.

3 MR. LING: Judge, I'd certainly like to make one.

4 JUDGE WOODRUFF: All right. I understand.

5 MR. LING: Would you like me to do it at this time?

6 JUDGE WOODRUFF: Yes, go ahead.

7 MR. LING: Having Ms. Wesley failing to appear at
8 this hearing, KCPL would like to move for a motion to dismiss
9 her claim pursuant to 4 CSR 240-2.090, Section 5 for failure
10 to appear at the prehearing conference.

11 JUDGE WOODRUFF: All right. And I might add that
12 this is -- for the record, that this is the second time that
13 Ms. Wesley has failed to appear for a prehearing conference.

14 All right. Well, I'm gonna take that motion under
15 advisement and take it up with the Commissioners.

16 If we do wind up picking a date, Mr. Ling, do you
17 have a preference on -- for a date?

18 MR. LING: Not at this time --

19 JUDGE WOODRUFF: Okay.

20 MR. LING: -- no.

21 I imagine there are a few -- I -- let's just leave
22 it at that. I -- I -- not at this time.

23 JUDGE WOODRUFF: All right. Well, I'm looking at
24 my calendar. I -- I see the Commission's calendar is clear on
25 September 29th. Would you be clear on that date, Mr. Ling?

1 MR. LING: Yes.

2 JUDGE WOODRUFF: Okay. And would you like to take
3 part in this by telephone or would you be coming to Jefferson
4 City?

5 MR. LING: Is this for a hearing or a prehearing
6 conference?

7 JUDGE WOODRUFF: For a hearing.

8 MR. LING: Could we conduct it over the telephone?

9 JUDGE WOODRUFF: Yes, we could.

10 MR. LING: We may have an interest in that.

11 Do I have make that decision right now?

12 JUDGE WOODRUFF: No.

13 MR. LING: Okay.

14 JUDGE WOODRUFF: But let me know as soon as -- as
15 far in advance as you can. Obviously if we're gonna be doing
16 this by telephone, we would need to make arrangements to
17 exchange documents and so forth before the hearing.

18 MR. LING: Like a week before the hearing, you
19 would need to know?

20 JUDGE WOODRUFF: Yes, we would need to know that.

21 MR. LING: Okay.

22 JUDGE WOODRUFF: If I do wind up setting a hearing
23 date, I'll -- I'll send out a notice explaining that more --
24 in more detail.

25 MR. LING: But we may be interested in that.

1 JUDGE WOODRUFF: Okay. And I -- I assume that
2 if -- if we ever hear from Ms. Wesley again, that she would
3 want to do that also.

4 All right. Is there anything else that anyone
5 wants to add while we're on the record?

6 MR. LING: No, Your Honor.

7 MR. BERLIN: No, Your Honor.

8 JUDGE WOODRUFF: All right. Now, it's now 10:15,
9 and at this time the -- this prehearing conference is
10 adjourned.

11 WHEREUPON, the on-the-record portion of the
12 prehearing conference was concluded.

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