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May 22, 2015
1:30 p.m.

Before the Honorable Kennard L. Jones,
Senior Regulatory Law Judge

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APPEARANCES

Staff (Telephonic):

Ms. Whitney Payne, Assistant Staff Counsel

Ms. Gay Fred

Kansas City Power & Light:

Mr. Roger Steiner, Staff Attorney

Mr. Brad Lutz

Ms. Maria Lopez

Reported by:

Ms. Janet Wimer

Midwest Litigation Services

1 PREHEARING CONFERENCE

2 (Starting time of the Conference: 1:50
3 p.m.)

4 JUDGE JONES: We're on the record with
5 Case No. EC-2015-0204, Samantha Blackmon vs. Kansas
6 City Power & Light Company. My name is Kennard
7 Jones. I am the Regulatory Law Judge assigned to
8 this case.

9 At this time, I'll take entries of
10 appearances, beginning with Kansas City Power &
11 Light.

12 MR. STEINER: My name is Roger W.
13 Steiner. I represent KCP&L. I've given my address
14 to the Court Reporter.

15 JUDGE JONES: And from the Staff of the
16 Commission?

17 MS. PAYNE: This is Whitney Payne for the
18 Staff of the Commission. My address is P.O. Box
19 360, Jefferson City, Missouri 65102.

20 JUDGE JONES: Okay. I will note for the
21 record that Samantha Blackmon, the Complainant, is
22 not present, and it is about 9 minutes til 2. The
23 Hearing was to start at 1:30. And with that then,
24 we'll just go off the record.

25 MR. STEINER: Could I say a couple of

1 things?

2 JUDGE JONES: Sure.

3 MR. STEINER: Your Honor, we've - when
4 this Complaint was filed, we suspended collection
5 activities on this account, as is our practice. We
6 have not had any payment for any service since
7 November of 2014, and there's a very large bill
8 that's accrued.

9 There's a rule that allows that if the
10 parties are unable to determine the amount not in
11 dispute, the customer shall pay the utility 50
12 percent of that charge. That's Rule 240-13.0456.6,
13 and just on the amount that she's owed since
14 November - that she owes since, excuse me,
15 November, which is not in dispute, which is just
16 her current usage, half of that amount would be
17 \$1,280.

18 And we would request that the Commission
19 order the Complainant to pay that amount by say, a
20 week from today, and if it's not paid, that we will
21 be allowed to discontinue service to the
22 Complainants, pursuant to those rules.

23 The fact that the Complainants have a
24 Complaint pending does not mean they don't have to
25 pay for electric service during the pendency of the

1 Complaint. We just need some way to stop this
2 because she keeps - bills keep accruing without any
3 payments whatsoever, and that's not what the
4 purpose of the rules are for. That's not what the
5 purpose of the Complaint is for, is not to suspend
6 payments for current usage.

7 JUDGE JONES: Okay. Well, this is what I
8 think may happen, is I will put on agenda and order
9 dismissing the Complaint. That will probably be on
10 Wednesday, if we have an agenda Wednesday. If not,
11 then I will issue an Order consistent with your
12 request. And if there is an order that I put on
13 for Wednesday, and Whitney, do you know if there's
14 an agenda Wednesday?

15 MS. PAYNE: It was cancelled in light of
16 an upcoming Hearing, but that Hearing has now been
17 postponed, so we're awaiting the Commission to give
18 notice that they are going to book agenda after
19 all.

20 JUDGE JONES: Okay, alright.

21 MR. STEINER: And obviously, if it's the
22 case dismissed, Your Honor, that would be fine also
23 because then we could discontinue service.

24 JUDGE JONES: Well, what you're wanting
25 was a week from today, but if there's no agenda

1 next week, then it won't be until next, the Rolla
2 ones. Will that work for you guys? I mean, it
3 will be dismissed then. In the order of dismissal,
4 just in fairness, it will have a 30 day effective
5 date, but the payment of the undisputed amount
6 could be made effective in the interim, like that's
7 from the day it's issued.

8 MR. STEINER: That's fine. And that
9 amount is \$1,280, and that's actually-

10 JUDGE JONES: Well, what I will probably
11 do is just refer to it as an undisputed amount, so
12 that I don't have to make any findings of fact.

13 MR. STEINER: Okay. Well, the rule says
14 if the Company and the Complainant can't come up
15 with what the undisputed amount is, then the
16 Complainant needs to pay 50 percent of the entire
17 balance, which will be a larger number.

18 MS. FRED: Roger?

19 MR. STEINER: Yes?

MS. FRED: This is Gay.

20 MR. STEINER: Yes.

MS. FRED: Okay. Under that rule though,
21 you have to mutually agree on the non-disputed
amount, so are you going to reach out to her, or
22 have you already done that?

MR. STEINER: We've tried. We've not
23 been able to get a hold of her and she's not called
us back. My interpretation of the rule is if you
24 can't agree on the amount in non-dispute, then they
have to pay 50 percent of the charges in dispute.

25 MS. FRED: That's correct, that's right.

MR. STEINER: And that's that \$1,280

1 figure that I was giving.

2 MS. FRED: Okay.

3 MR. STEINER: That's half of the amount.

4 MS. FRED: That's half the amount owed,
5 okay.

6 (UNKNOWN-PHONE): Have you provided her
7 disconnection notices on that amount?

8 MR. STEINER: We would have to do that
9 after we get an Order from the Commission saying,
10 "You can do so." We have not done that.

11 (UNKNOWN-PHONE): Alright, thank you.

12 MR. STEINER: We need something to get
13 the process started, because she's not paying
14 anything on her bill.

15 MS. FRED: Do you know if she still
16 resides at that location?

17 MR. STEINER: I do not.

18 MS. FRED: Okay. So you don't know if
19 Revenue Protection has been out and done a site
20 visit to see if it's vacant or not then?

21 MR. STEINER: I do not know that.

22 MS. FRED: Okay. Just curious since you
23 can't get in touch with her. She may have
24 abandoned the location.

25 JUDGE JONES: Then cutting off the

1 service won't be an issue, right. Well, I'll tell
2 you what, if there's an agenda next week, then the
3 case will go away. If there isn't an agenda next
4 week, I'll order something consistent without a
5 specialty day to move the process along. Does
6 anyone have anything else they'd like to add?

7 MS. PAYNE: No. We're okay over here,
8 Judge.

9 JUDGE JONES: Okay. With that, then
10 we'll go off the record.

11 (WHEREIN, the Hearing is concluded at
12 1:57 p.m.)
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NONE MARKED

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CERTIFICATE OF REPORTER

STATE OF MISSOURI) ss:

COUNTY OF CLAY)

I, JANET H. WIMER, Certified Court
Reporter, the officer before whom the foregoing
hearing was taken, do hereby certify that the
testimony in said hearing was taken by me to the
best of my ability and thereafter reduced to
typewriting under my direction; that I am neither
counsel for, related to, nor employed by any of the
parties to the action in which this hearing was
taken, and further, that I am not a relative or
employee of any attorney or counsel employed by the
parties thereto, nor financially or otherwise
interested in the outcome of the action.

Notary Public in and for
the State of Missouri

My Commission Expires: 9/29/15

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