

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
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6 TRANSCRIPT OF PROCEEDINGS
7 Prehearing Conference
8 March 17, 2005
9 Jefferson City, Missouri
Volume 1

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12 In the Matter of the Application)
of Aquila, Inc., for Authority to)
13 Acquire, Sell and Lease Back Three)
Natural Gas-Fired Combustion) Case No. EO-2005-0156
14 Turbine Power Generation Units and)
Related Improvements to be)
15 Installed and Operated in the City)
of Peculiar, Missouri)

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KEVIN A. THOMPSON, Presiding,
DEPUTY CHIEF REGULATORY LAW JUDGE.

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23 REPORTED BY:

24 KELLENE K. FEDDERSEN, CSR, RPR, CCR
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21 FOR: Office of the Public Counsel
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FOR: Staff of the Missouri Public
Service Commission.

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

2 JUDGE THOMPSON: We are here in the matter
3 of the application of Aquila, Inc. for authority to
4 acquire, sell and lease back three natural gas-fired
5 combustion turbine power generation units and related
6 improvements to be installed and operated in the city of
7 Peculiar, Missouri, Case No. EO-2005-0156.

8 Lewis Mills is the Regulatory Law Judge
9 assigned to preside over this matter. He is, however,
10 caught up in the agenda meeting at this time, and I'm
11 filling in for him for the purposes of this prehearing
12 conference only.

13 We will go ahead and take oral entries of
14 appearance at this time. Let's begin with the company.

15 MR. BOUDREAU: Thank you. Let the record
16 reflect the appearance of Paul Boudreau with the law firm
17 of Brydon, Swearngen & England, Post Office Box 456,
18 Jefferson City, Missouri, on behalf of applicant, Aquila,
19 Inc.

20 JUDGE THOMPSON: Thank you very much.
21 Staff?

22 MR. WILLIAMS: Nathan Williams, Staff of
23 the Missouri Public Service Commission, P.O. Box 360,
24 Jefferson City, Missouri 65102.

25 JUDGE THOMPSON: Thank you. Public

1 Counsel?

2 MR. COFFMAN: Appearing on behalf of the
3 Office of the Public Counsel and the rate-paying public,
4 John B. Coffman, Box 2230, Jefferson City, Missouri 65102.

5 JUDGE THOMPSON: Intervenors?

6 MR. COMLEY: Judge, appearing on behalf of
7 Cass County, Missouri, let the record reflect the entry of
8 Mark W. Comley, Newman, Comley & Ruth, PC, 601 Monroe,
9 Suite 301 Jefferson City, Missouri 65101.

10 JUDGE THOMPSON: Thank you. I understand
11 there's at least one intervenor that's not present; is
12 that correct?

13 MR. BOUDREAU: I believe that's the case.
14 It was my understanding that counsel for the City of
15 Peculiar was going to contact the adjudication division
16 and request to be excused, but I understand that that did
17 not happen.

18 JUDGE THOMPSON: So far as I know it didn't
19 happen. Perhaps it did and nobody told me. Either way
20 we'll go forward.

21 The purpose of this early prehearing
22 conference is to give the parties an opportunity to pursue
23 further settlement discussions. Probably you've already
24 engaged in such, but here's an opportunity to get you all
25 together in the room so you can pursue them yet further.

1 You can also compare your calendars and put together the
2 procedural schedule, which I gather is due March 24th,
3 according to this Order which was issued March 9th.

4 MR. BOUDREAU: I believe that's correct.

5 JUDGE THOMPSON: So those are your tasks.
6 Do the parties have anything to bring to my attention at
7 this time?

8 MR. WILLIAMS: No, Judge.

9 MR. BOUDREAU: I don't believe so.

10 JUDGE THOMPSON: Judge Mills urged me to
11 mention simply one thing, and that is that this case
12 involves only the financing aspect, I think, of the
13 proposed installation.

14 MR. COFFMAN: Well, I guess it depends on
15 how you define financing. There's several points of
16 relief requested.

17 MR. BOUDREAU: There's probably two
18 elements, one of which is the financing, and the other
19 which Mr. Coffman is referring to addresses an affiliate
20 transaction that's associated with this.

21 JUDGE THOMPSON: I appreciate the
22 correction.

23 MR. COFFMAN: Just so the record's clear,
24 there are requests that the Commission make certain
25 findings which we at this point strongly disagree with.

1 JUDGE THOMPSON: Well, the pleadings say
2 what they say, and whatever I say or don't say on the
3 record today is hardly going to affect where this case
4 goes or doesn't go.

5 With that being said, I will adjourn the
6 recorded portion of this prehearing conference and leave
7 you to do your homework. Thank you.

8 WHEREUPON, the recorded portion of the
9 prehearing conference was concluded.

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