

BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Conference

November 21, 2011

Jefferson City, Missouri

Volume 2

In the Matter of  
 The Application of Union )  
 Electric Company for Authority)  
 To Continue The Transfer Of ) File No. EO-2011-0128  
 Functional Control Of Its )  
 Transmission System To The )  
 Midwest Independent )  
 Transmission System Operator )  
 Inc. )

MORRIS L. WOODRUFF, Presiding  
 CHIEF REGULATORY LAW JUDGE

REPORTED BY:

NANCY L. SILVA, RPR, CCR  
 TIGER COURT REPORTING, LLC

## A P P E A R A N C E S

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APPEARANCES (cont.)

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1                   JUDGE WOODRUFF: We're here in Case  
2 No. EO-2011-0128 which concerns Ameren's request to  
3 continue their functional control of its transmission  
4 system with the Midwest Independent Transmission  
5 System Operator, Incorporated.

6                   This was originally going to be the start  
7 of an evidentiary hearing. On Friday the Commission  
8 granted a continuance, and at this point now we are  
9 here to discuss when to reschedule the hearing.

10                  We'll begin by taking entries of  
11 appearance, beginning with Ameren Missouri.

12                  MR. LOWRY: Thank you, your Honor.  
13 Jim Lowry, Smith Lewis, LLP, 111 South Ninth Street,  
14 Suite 200, Columbia, Missouri 65201, appearing on  
15 behalf of Union Electric Company d/b/a Ameren  
16 Missouri.

17                  JUDGE WOODRUFF: And for Staff.

18                  MR. DOTTHEIM. Steven Dottheim, Megan  
19 McClowry, P.O. Box 360, Jefferson City, Missouri  
20 65102, appearing on behalf of the Staff of the  
21 Missouri Public Service Commission.

22                  JUDGE WOODRUFF: And for Public Counsel.

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

1 Missouri 65102.

2 JUDGE WOODRUFF: And for the Midwest ISO.

3 MR. ZOBRIST: Karl Zobrist, SNR Denton,  
4 U.S., LLP, and we've submitted our entry of appearance  
5 here.

6 JUDGE WOODRUFF: And for MIEC?

7 Ms. Vuylsteke sent me an e-mail this  
8 morning indicating she was going to try and call in  
9 but might not be able to make it, has a serious  
10 illness in her family, and was on her way to  
11 Springfield, Illinois, as we speak, so she is excused.

12 For MJMEUC. For MJMEUC? Mr. Healy, are  
13 you still there?

14 MR. HEALY: Yeah, I am. Sorry. Sorry,  
15 Judge. Couldn't hear you at first.

16 This is Doug Healy for MJMEUC.

17 JUDGE WOODRUFF: For Empire.

18 MR. COOPER: Dean Cooper from the law firm  
19 of Brydon, Swearingen & England, PC, P.O. Box 456,  
20 Jefferson City 65102, appearing on behalf of the  
21 Empire District Electric Company.

22 JUDGE WOODRUFF: And for Southwest Power  
23 Pool.

24 MR. LINTON: David Linton, 424 Summer Top  
25 Lane, Fenton, Missouri 63026, and also on the phone I

1 have Erin E. Cullum, 415 North McKinley, Suite 140,  
2 Little Rock, Arkansas, on behalf of Southwest Power  
3 Pool.

4 JUDGE WOODRUFF: I believe that's all the  
5 parties. As I indicated earlier, we are now in a  
6 position of needing to pick a new date for the  
7 hearing.

8 Make sure I've informed you that the --  
9 rather see earlier, rather than later, but I  
10 understand that there are likely to be conflicts and  
11 so forth. I don't think I need to be here for the  
12 discussions, and I'll leave you to that.

13 Is there anything anyone wants to bring up  
14 while we're on the record?

15 Mr. Dottheim.

16 MR. DOTTHEIM: Judge, are you going to be  
17 available in your office if for some reason we need to  
18 ask you either questions -- or I assume once we're  
19 available to reach agreement on some date you would  
20 like for us to communicate that with you in some  
21 manner either --

22 JUDGE WOODRUFF: Yes.

23 MR. DOTTHEIM: -- in writing or verbally,  
24 immediately today, as soon as possible? Do you want  
25 to go back on the record or --

1                   JUDGE WOODRUFF: I don't think we'll need  
2 to go back on the record. We'll let the court  
3 reporter go back to her office but, yes, I will be in  
4 my office and I'll be there all day, and if you can  
5 give me something by tomorrow in writing with a  
6 proposed further procedural schedule, and I think the  
7 only thing likely to be on the procedural schedule  
8 would be the date of the hearing.

9                   MR. LOWRY: Judge, along those lines, I  
10 mean, the briefing dates will also, I guess, have to  
11 be adjusted accordingly.

12                   JUDGE WOODRUFF: Yes.

13                   MR. LOWRY: We'll try to work that out  
14 amongst ourselves.

15                   JUDGE WOODRUFF: That's right. And if you  
16 can't work out the briefing dates, we'll figure that  
17 out at the hearing. We don't necessarily need to  
18 schedule those in advance.

19                   MR. LOWRY: Thank you.

20                   JUDGE WOODRUFF: All right.

21                   Anything else?

22                   (No response.)

23                   JUDGE WOODRUFF: All right. With that,  
24 then, the on-the-record portion of this conference is  
25 adjourned, and I'll leave you to your discussions.

1 Thank you all very much.

2 (The hearing ended.)

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CERTIFICATE

I, Nancy L. Silva, RPR, a Certified Court Reporter, CCR No. 890, the officer before whom the foregoing hearing was taken, do hereby certify that the witness whose testimony appears in the foregoing hearing was duly sworn; that the testimony of said witness 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.

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Nancy L. Silva, RPR, CCR