

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
  
TRANSCRIPT OF PROCEEDINGS  
Hearing  
May 24, 2012  
Jefferson City, Missouri  
Volume 3

In The Matter Of Union Electric )  
Company d/b/a Ameren Missouri's )  
Filing To Implement Regulatory ) File No. EO-2012-0142  
Changes In Furtherance Of )  
Energy Efficiency As Allowed )  
By MEEIA )

MORRIS WOODRUFF, Presiding  
REGULATORY LAW JUDGE.  
TERRY JARRETT, Commissioner.

1 APPEARANCES :

2 WENDY K. TATRO, Attorney at Law

THOMAS BYRNE, Attorney at Law

3 Ameren UE

P.O. Box 66149

4 1901 Chouteau Avenue, MC 1310

St. Louis, MO 63103

5 (314)554-2237

6 JAMES B. LOWERY, Attorney at Law

Smith Lewis, LLP

7 111 South 9th Street, Suite 200

P.O. Box 918

8 Columbia, MO 65201

(573)443-3141

9 lowery@smithlewis.com

FOR: Union Electric Company, d/b/a AmerenUE.

10

JENNIFER FRAZIER, Assistant Attorney General

11 P.O. Box 899

12 Supreme Court Building

13 Jefferson City, MO 65102

14 (573)751-3321

15 jennifer.frazier@ago.mo.gov

16 FOR: Missouri Department of Natural Resources.

17

18 HENRY ROBERTSON, Attorney at Law

19 Great Rivers Environmental Law Center

20 705 Olive Street, Suite 614

21 St. Louis, MO 63101

22 (314)231-4181

23 hrobertson@greatriverslaw.org

24 FOR: Natural Resources Defense Counsel,

25 Renew Missouri and the Sierra Club.

1 JAMES M. FISCHER, Attorney at Law

2 Fischer & Dority

3 101 Madison, Suite 400

4 Jefferson City, MO 65101

5 (573)636-6758

6 jfischerpc@aol.com

7 FOR: Kansas City Power & Light Company.

8

9 DIANA VUYLSTEKE, Attorney at Law

10 Bryan Cave, LLP

11 211 North Broadway, Suite 3600

12 St. Louis, MO 63102

13 (314)259-2543

14 dmvuylsteke@bryancave.com

15 FOR: Missouri Industrial Energy Consumers.

16

17 LISA C. LANGENECKERT, Attorney at Law

18 Sandberg, Phoenix & von Gontard

19 600 Washington Avenue, 15th Floor

20 St. Louis, MO 63101

21 (314)641-5158

22 llangeneckert@sandbergphoenix.com

23 FOR: Barnes-Jewish Hospital.

24

25

1 LEWIS R. MILLS, JR., Public Counsel

2 Office of the Public Counsel

3 P.O. Box 2230

4 Jefferson City, MO 65102

5 (573)751-4857

6 FOR: Office of the Public Counsel and  
7 the Public.

8

9 JENNIFER HERNANDEZ, Senior Counsel

10 NATHAN WILLIAMS, Deputy Counsel/Electric

11 JOHN BORGMEYER, Legal Counsel

12 Missouri Public Service Commission

13 P.O. Box 360

14 200 Madison Street

15 Jefferson City, MO 65102

16 (573)751-3234

17 FOR: Staff of the Missouri Public Service  
18 Commission.

19

20 REPORTED BY:

21 Pamela Fick, RMR, RPR, CCR# 447:

22 Midwest Litigation Services

23 711 North Eleventh Street

24 St. Louis, MO 63101

25 314-644-2191

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

2 JUDGE WOODRUFF: Let's come to order,  
3 please. Well, welcome back. And I understand the  
4 parties have an announcement to make this morning.  
5 Who wants to explain?

6 MR. LOWERY: Your Honor, the parties, as  
7 I think you know, recessed yesterday, or requested a  
8 recess two or three times, and we didn't actually  
9 have hearings yesterday. And we, last evening,  
10 reached an agreement in principle to settle the case  
11 unanimously and entirely, which I'm going to begin to  
12 reduce to writing today.

13 And our goal is to have something filed  
14 by the 30th or the 31st at the latest, I mean,  
15 assuming everything goes smoothly, which we think it  
16 will.

17 And so we would ask for a continuance of  
18 the hearings pending filing of that settlement. And  
19 then of course if the Commission wants to have an  
20 on-the-record, then the Commission could certainly do  
21 so. One time that could be done, if the Commission  
22 wanted to do that, we have a June 4th date reserved  
23 as a backup hearing date, I guess I'll call it, so  
24 that would be a logical time, that is, if the  
25 Commission wants to have an on-the-record about it.

1 JUDGE WOODRUFF: Okay. Anyone else like  
2 to be heard on that?

3 (NO RESPONSE.)

4 JUDGE WOODRUFF: All right. Well, thank  
5 you all for reaching an agreement, and we'll look  
6 forward to getting a chance to read it and examine  
7 it. I don't know if the Commissioners will want to  
8 have an on-the-record or not, but we'll take a look  
9 at that and consider June 4th as a possibility for  
10 that.

11 Commissioner Jarrett, anything you  
12 wanted to add?

13 COMMISSIONER JARRETT: I just want to  
14 note it for the record. I did put on my coat and tie  
15 this morning. I thought maybe that was the reason  
16 why you guys settled it. Sort of like carrying an  
17 umbrella: It's not gonna rain if you have one.  
18 Thanks. Appreciate it, guys.

19 JUDGE WOODRUFF: Okay. Well, then, at  
20 this point we will indefinitely continue the  
21 procedural schedule subject to further order of the  
22 Commission when the written agreement is filed. And  
23 with that we are adjourned. Thank you.

24 (WHEREUPON, the hearing was adjourned at  
25 8:33 a.m.)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

C E R T I F I C A T E

STATE OF MISSOURI )

) ss.

COUNTY OF COLE )

I, Pamela Fick, Registered Merit Reporter  
and Certified Shorthand Reporter do hereby certify  
that I was personally present at the proceedings had  
in the above-entitled cause at the time and place set  
forth in the caption sheet thereof; that I then and  
there took down in Stenotype the proceedings had; and  
that the foregoing is a full, true and correct  
transcript of such Stenotype notes so made at such  
time and place.

Given at my office in the City of  
Jefferson, County of Cole, State of Missouri.

\_\_\_\_\_  
PAMELA FICK, RMR, CCR #447, CSR

TRANSCRIPT OF PROCEEDINGS 5/24/2012

<p><b>A</b></p> <p><b>about</b> 29:25  <b>above-entitled</b> 31:10  <b>actually</b> 29:8  <b>add</b> 30:12  <b>adjourned</b> 30:23 30:24  <b>agreement</b> 29:10 30:5,22  <b>Allowed</b> 25:16  <b>Ameren</b> 25:13 26:3  <b>AmerenUE</b> 26:9  <b>announcement</b> 29:4  <b>Anyone</b> 30:1  <b>anything</b> 30:11  <b>APPEARAN...</b> 26:1  <b>Appreciate</b> 30:18  <b>Assistant</b> 26:10  <b>assuming</b> 29:15  <b>Attorney</b> 26:2,2 26:6,10,18 27:1,9,17  <b>Avenue</b> 26:4 27:19  <b>a.m</b> 30:25</p>	<p><b>C</b> 27:17 29:1 31:1,1  <b>call</b> 29:23  <b>caption</b> 31:11  <b>carrying</b> 30:16  <b>case</b> 29:10  <b>cause</b> 31:10  <b>Cave</b> 27:10  <b>CCR</b> 28:21 31:21  <b>Center</b> 26:19  <b>certainly</b> 29:20  <b>Certified</b> 31:8  <b>certify</b> 31:8  <b>chance</b> 30:6  <b>Changes</b> 25:15  <b>Chouteau</b> 26:4  <b>City</b> 25:8 26:13 27:4,7 28:4,15 31:16  <b>Club</b> 26:25  <b>coat</b> 30:14  <b>Cole</b> 31:5,17  <b>Columbia</b> 26:8  <b>come</b> 29:2  <b>Commission</b> 25:2 28:12,18 29:19,20,21,25 30:22  <b>Commissioner</b> 25:22 30:11,13  <b>Commissioners</b> 30:7  <b>Company</b> 25:13 26:9 27:7  <b>consider</b> 30:9  <b>Consumers</b> 27:15  <b>continuance</b> 29:17  <b>continue</b> 30:20  <b>correct</b> 31:13  <b>Counsel</b> 26:24 28:1,2,6,9,11  <b>Counsel/Elect...</b> 28:10  <b>County</b> 31:5,17  <b>course</b> 29:19</p>	<p><b>Court</b> 26:12  <b>CSR</b> 31:21</p> <p><b>D</b></p> <p><b>D</b> 29:1  <b>date</b> 29:22,23  <b>Defense</b> 26:24  <b>Department</b> 26:16  <b>Deputy</b> 28:10  <b>DIANA</b> 27:9  <b>dmvuylsteke...</b> 27:14  <b>done</b> 29:21  <b>Dority</b> 27:2  <b>down</b> 31:12  <b>d/b/a</b> 25:13 26:9</p> <p><b>E</b></p> <p><b>E</b> 29:1,1 31:1,1  <b>Efficiency</b> 25:16  <b>Electric</b> 25:12 26:9  <b>Eleventh</b> 28:23  <b>Energy</b> 25:16 27:15  <b>entirely</b> 29:11  <b>Environmental</b> 26:19  <b>EO-2012-0142</b> 25:14  <b>evening</b> 29:9  <b>everything</b> 29:15  <b>examine</b> 30:6  <b>explain</b> 29:5</p> <p><b>F</b></p> <p><b>F</b> 31:1  <b>Fick</b> 28:21 31:7 31:21  <b>File</b> 25:14  <b>filed</b> 29:13 30:22  <b>filing</b> 25:14 29:18  <b>Fischer</b> 27:1,2  <b>Floor</b> 27:19  <b>foregoing</b> 31:13  <b>forth</b> 31:11</p>	<p><b>forward</b> 30:6  <b>FRAZIER</b> 26:10  <b>full</b> 31:13  <b>further</b> 30:21  <b>Furtherance</b> 25:15</p> <p><b>G</b></p> <p><b>G</b> 29:1  <b>General</b> 26:10  <b>getting</b> 30:6  <b>Given</b> 31:16  <b>goal</b> 29:13  <b>goes</b> 29:15  <b>going</b> 29:11  <b>gonna</b> 30:17  <b>Gontard</b> 27:18  <b>Great</b> 26:19  <b>guess</b> 29:23  <b>guys</b> 30:16,18</p> <p><b>H</b></p> <p><b>heard</b> 30:2  <b>hearing</b> 25:6 29:23 30:24  <b>hearings</b> 29:9,18  <b>HENRY</b> 26:18  <b>HERNANDEZ</b> 28:9  <b>Honor</b> 29:6  <b>Hospital</b> 27:23  <b>hrobertson@g...</b> 26:23</p> <p><b>I</b></p> <p><b>Implement</b> 25:14  <b>indefinitely</b> 30:20  <b>Industrial</b> 27:15</p> <p><b>J</b></p> <p><b>JAMES</b> 26:6 27:1  <b>Jarrett</b> 25:22 30:11,13  <b>Jefferson</b> 25:8 26:13 27:4 28:4,15 31:17</p>	<p><b>JENNIFER</b> 26:10 28:9  <b>jennifer.frazie...</b> 26:15  <b>jfischerpc@ao...</b> 27:6  <b>JOHN</b> 28:11  <b>JR</b> 28:1  <b>JUDGE</b> 25:21 29:2 30:1,4,19  <b>June</b> 29:22 30:9  <b>just</b> 30:13</p> <p><b>K</b></p> <p><b>K</b> 26:2  <b>Kansas</b> 27:7  <b>know</b> 29:7 30:7</p> <p><b>L</b></p> <p><b>LANGENEC...</b> 27:17  <b>last</b> 29:9  <b>latest</b> 29:14  <b>Law</b> 25:21 26:2 26:2,6,18,19 27:1,9,17  <b>Legal</b> 28:11  <b>Let's</b> 29:2  <b>Lewis</b> 26:6 28:1  <b>Light</b> 27:7  <b>like</b> 30:1,16  <b>LISA</b> 27:17  <b>Litigation</b> 28:22  <b>llangeneckert...</b> 27:22  <b>LLP</b> 26:6 27:10  <b>logical</b> 29:24  <b>look</b> 30:5,8  <b>Louis</b> 26:4,21 27:12,20 28:24  <b>LOWERY</b> 26:6 29:6  <b>lowery@smit...</b> 26:9</p> <p><b>M</b></p> <p><b>M</b> 27:1  <b>made</b> 31:14  <b>Madison</b> 27:3</p>
---	---	--	--	--



TRANSCRIPT OF PROCEEDINGS 5/24/2012

<p>28:14  <b>make</b> 29:4  <b>Matter</b> 25:12  <b>May</b> 25:7  <b>maybe</b> 30:15  <b>MC</b> 26:4  <b>mean</b> 29:14  <b>MEEIA</b> 25:17  <b>Merit</b> 31:7  <b>Midwest</b> 28:22  <b>MILLS</b> 28:1  <b>Missouri</b> 25:1,8  26:16,25 27:15  28:12,17 31:3  31:17  <b>Missouri's</b> 25:13  <b>MO</b> 26:4,8,13,21  27:4,12,20  28:4,15,24  <b>morning</b> 29:4  30:15  <b>MORRIS</b> 25:20</p> <hr/> <p style="text-align: center;"><b>N</b></p> <hr/> <p><b>N</b> 29:1  <b>NATHAN</b> 28:10  <b>Natural</b> 26:16  26:24  <b>North</b> 27:11  28:23  <b>note</b> 30:14  <b>notes</b> 31:14</p> <hr/> <p style="text-align: center;"><b>O</b></p> <hr/> <p><b>O</b> 29:1  <b>office</b> 28:2,6  31:16  <b>Okay</b> 30:1,19  <b>Olive</b> 26:20  <b>one</b> 29:21 30:17  <b>on-the-record</b>  29:20,25 30:8  <b>order</b> 29:2 30:21</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>P</b> 29:1  <b>Pamela</b> 28:21  31:7,21  <b>parties</b> 29:4,6</p>	<p><b>pending</b> 29:18  <b>personally</b> 31:9  <b>Phoenix</b> 27:18  <b>place</b> 31:10,15  <b>please</b> 29:3  <b>point</b> 30:20  <b>possibility</b> 30:9  <b>Power</b> 27:7  <b>present</b> 31:9  <b>Presiding</b> 25:20  <b>principle</b> 29:10  <b>procedural</b>  30:21  <b>proceedings</b>  25:5 31:9,12  <b>Public</b> 25:2 28:1  28:2,6,7,12,17  <b>put</b> 30:14  <b>P.O</b> 26:3,7,11  28:3,13</p> <hr/> <p style="text-align: center;"><b>R</b></p> <hr/> <p><b>R</b> 28:1 29:1 31:1  <b>rain</b> 30:17  <b>reached</b> 29:10  <b>reaching</b> 30:5  <b>read</b> 30:6  <b>reason</b> 30:15  <b>recess</b> 29:8  <b>recessed</b> 29:7  <b>record</b> 30:14  <b>reduce</b> 29:12  <b>Registered</b> 31:7  <b>Regulatory</b>  25:14,21  <b>Renew</b> 26:25  <b>REPORTED</b>  28:20  <b>Reporter</b> 31:7,8  <b>requested</b> 29:7  <b>reserved</b> 29:22  <b>Resources</b> 26:16  26:24  <b>RESPONSE</b>  30:3  <b>right</b> 30:4  <b>Rivers</b> 26:19  <b>RMR</b> 28:21  31:21</p>	<p><b>ROBERTSON</b>  26:18  <b>RPR</b> 28:21</p> <hr/> <p style="text-align: center;"><b>S</b></p> <hr/> <p><b>S</b> 29:1  <b>Sandberg</b> 27:18  <b>schedule</b> 30:21  <b>Senior</b> 28:9  <b>Service</b> 25:2  28:12,17  <b>Services</b> 28:22  <b>set</b> 31:10  <b>settle</b> 29:10  <b>settled</b> 30:16  <b>settlement</b> 29:18  <b>sheet</b> 31:11  <b>Shorthand</b> 31:8  <b>Sierra</b> 26:25  <b>Smith</b> 26:6  <b>smoothly</b> 29:15  <b>something</b> 29:13  <b>Sort</b> 30:16  <b>South</b> 26:7  <b>ss</b> 31:4  <b>St</b> 26:4,21 27:12  27:20 28:24  <b>Staff</b> 28:17  <b>State</b> 25:1 31:3  31:17  <b>Stenotype</b> 31:12  31:14  <b>Street</b> 26:7,20  28:14,23  <b>subject</b> 30:21  <b>Suite</b> 26:7,20  27:3,11  <b>Supreme</b> 26:12</p> <hr/> <p style="text-align: center;"><b>T</b></p> <hr/> <p><b>T</b> 31:1,1  <b>take</b> 30:8  <b>TATRO</b> 26:2  <b>TERRY</b> 25:22  <b>thank</b> 30:4,23  <b>Thanks</b> 30:18  <b>thereof</b> 31:11  <b>think</b> 29:7,15  <b>THOMAS</b> 26:2</p>	<p><b>thought</b> 30:15  <b>three</b> 29:8  <b>tie</b> 30:14  <b>time</b> 29:21,24  31:10,15  <b>times</b> 29:8  <b>today</b> 29:12  <b>transcript</b> 25:5  31:14  <b>true</b> 31:13  <b>two</b> 29:8</p> <hr/> <p style="text-align: center;"><b>U</b></p> <hr/> <p><b>UE</b> 26:3  <b>umbrella</b> 30:17  <b>unanimously</b>  29:11  <b>understand</b> 29:3  <b>Union</b> 25:12  26:9</p> <hr/> <p style="text-align: center;"><b>V</b></p> <hr/> <p><b>Volume</b> 25:9  <b>von</b> 27:18  <b>VUYLSTEKE</b>  27:9</p> <hr/> <p style="text-align: center;"><b>W</b></p> <hr/> <p><b>want</b> 30:7,13  <b>wanted</b> 29:22  30:12  <b>wants</b> 29:5,19  29:25  <b>Washington</b>  27:19  <b>welcome</b> 29:3  <b>Well</b> 29:3 30:4  30:19  <b>WENDY</b> 26:2  <b>we'll</b> 30:5,8  <b>WILLIAMS</b>  28:10  <b>WOODRUFF</b>  25:20 29:2  30:1,4,19  <b>writing</b> 29:12  <b>written</b> 30:22</p> <hr/> <p style="text-align: center;"><b>Y</b></p> <hr/> <p><b>yesterday</b> 29:7,9</p> <hr/> <p style="text-align: center;"><b>#</b></p> <hr/> <p><b>#447</b> 31:21</p> <hr/> <p style="text-align: center;"><b>1</b></p> <hr/> <p><b>101</b> 27:3  <b>111</b> 26:7  <b>1310</b> 26:4  <b>15th</b> 27:19  <b>1901</b> 26:4</p> <hr/> <p style="text-align: center;"><b>2</b></p> <hr/> <p><b>200</b> 26:7 28:14  <b>2012</b> 25:7  <b>211</b> 27:11  <b>2230</b> 28:3  <b>24</b> 25:7</p> <hr/> <p style="text-align: center;"><b>3</b></p> <hr/> <p><b>3</b> 25:9  <b>30th</b> 29:14  <b>31st</b> 29:14  <b>314)231-4181</b>  26:22  <b>314)259-2543</b>  27:13  <b>314)554-2237</b>  26:5  <b>314)641-5158</b>  27:21  <b>314-644-2191</b>  28:25  <b>360</b> 28:13  <b>3600</b> 27:11</p> <hr/> <p style="text-align: center;"><b>4</b></p> <hr/> <p><b>4th</b> 29:22 30:9  <b>400</b> 27:3  <b>447</b> 28:21</p> <hr/> <p style="text-align: center;"><b>5</b></p> <hr/> <p><b>573)443-3141</b>  26:8  <b>573)636-6758</b>  27:5  <b>573)751-3234</b>  28:16  <b>573)751-3321</b></p>
---	--	--	---

TRANSCRIPT OF PROCEEDINGS 5/24/2012

26:14 <b>573)751-4857</b> 28:5 <hr/> <b>6</b> <hr/> <b>600</b> 27:19 <b>614</b> 26:20 <b>63101</b> 26:21 27:20 28:24 <b>63102</b> 27:12 <b>63103</b> 26:4 <b>65101</b> 27:4 <b>65102</b> 26:13 28:4,15 <b>65201</b> 26:8 <b>66149</b> 26:3 <hr/> <b>7</b> <hr/> <b>705</b> 26:20 <b>711</b> 28:23 <hr/> <b>8</b> <hr/> <b>8:33</b> 30:25 <b>899</b> 26:11 <hr/> <b>9</b> <hr/> <b>9th</b> 26:7 <b>918</b> 26:7				
---	--	--	--	--