

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS
Procedural Conference
September 23, 2015
Jefferson City, Missouri
Volume 1

In The Matter Of Kansas City Power)
& Light Company's Notice Of Intent)
To An Application For Authority To) File No. E0-2015-0240
Establish A Demand-Side Program)
Investment Mechanism)

In The Matter Of KCP&L Greater)
Missouri Operations Company's)
Notice Of Intent To File An) File No. E0-2015-0241
Application of Authority To)
Establish A Side-Demand Program)
Mechanism)

MICHAEL BUSHMANN, Presiding,
REGULATORY LAW JUDGE.

REPORTED BY:
Pamela S. Gentry, CCR NO. 426
TIGER COURT REPORTING, LLC

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APPEARANCES:

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APPEARANCES: (cont'd.)

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APPEARANCES: (cont'd.)

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FOR WEST SIDE HOUSING ORGANIZATION, EARTH ISLAND INSTITUTE
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ALSO PRESENT:

Mr. Roger W. Steiner (via telephone)

P R O C E E D I N G S

JUDGE BUSHMANN: Let's go on the record.

Today is September 23rd, 2015. It's 2:00 p.m.

The Commission has set this time for a Procedural Conference in cases captioned as In The Matter Of Kansas City Power & Light Company's Filing For Authority To Establish A Demand-Side Programs Investment Mechanism. That case is File No. E0-2015-0240. Also, we're here for case titled as In The Matter Of KCP&L Greater Missouri Operations Company's Notice Of Intent To File An Application of Authority To Establish A Side-Demand Programs Mechanism. That File Number is E0-2015-0241.

My name's Michael Bushmann. I'm the Regulatory Law Judge. They will be joined in this matter -- these matters. As you can tell, I'm running them concurrently, which I assume is the wish of the parties.

Let's have counsel make their entries of appearance.

For Kansas City Power & Light Company and KCP&L Greater Missouri Operations.

MR. FISCHER: On behalf of the above companies, let the record reflect the appearance of James M. Fischer, Fischer & Dority, PC, 101 Madison, Suite 400, Jefferson City, Missouri, 65101, and I have on the phone with me Roger W. Steiner in the Kansas City Power & Light Company

1 offices.

2 JUDGE BUSHMANN: And Commission Staff.

3 MR. BERLIN: Appearing on behalf of the Staff,
4 I let the record show Bob Berlin, Marcella Mueth, Whitney
5 Payne, and Nicole Mers at the Commission's offices at Post
6 Office Box 360, Jefferson City, Missouri, 65102.

7 JUDGE BUSHMANN: Thank you.

8 Office of Public Counsel.

9 MR. OPITZ: Appearing for the Office of Public
10 Counsel, I'm Tim Opitz. My address is P.O. Box 2230,
11 Jefferson City, Missouri, 65102.

12 JUDGE BUSHMANN: Missouri Division of Energy.

13 MR. ANTAL: Alex Antal with the Division of
14 Economic Development appearing on behalf of the Division of
15 Energy. The Court Reporter has our address.

16 JUDGE BUSHMANN: And for Broader GLLC,
17 Mr. Zeller's contacted me yesterday -- excuse me -- contacted
18 me yesterday, and they are excused.

19 Missouri Industrial Energy Consumers.

20 MR. DOWNEY: Good afternoon. J. Edward Downey
21 on behalf of the Missouri Industrial Energy Consumers. My
22 address is 221 Bolivar Street, Suite 101, Jefferson City,
23 Missouri, 65101.

24 JUDGE BUSHMANN: For Ameren Missouri.

25 MS. TATRO: Good afternoon. Wendy Tatro, 1901

1 Choteau Avenue, St. Louis, Missouri, 63103.

2 JUDGE BUSHMANN: And for Natural Resources
3 Defense Counsel.

4 MR. ROBERTSON: For NRDC, Henry Robertson,
5 Great Rivers Environmental Law Center, 319 North Fourth
6 Street, Suite 800, St. Louis, 63102.

7 JUDGE BUSHMANN: United for Missouri,
8 Incorporated.

9 MR. LINTON: On behalf of United for Missouri,
10 David Linton, 314 Romaine Spring View, Fenton, Missouri,
11 63026.

12 JUDGE BUSHMANN: West Side Housing
13 Organization.

14 MR. LINHARES: Appearing for West Side Housing
15 Organization, Andrew Linhares. Address is 910 East Broadway,
16 Suite 2015, Columbia, Missouri, 65201.

17 JUDGE BUSHMANN: Are you also appearing for
18 Renew Missouri?

19 MR. LINHARES: Yes, I am, and on behalf of The
20 National Housing Trust.

21 JUDGE BUSHMANN: All three?

22 MR. LINHARES: Yes.

23 JUDGE BUSHMANN: Any other parties that I
24 might have missed?

25 (No response.)

1 JUDGE BUSHMANN: Okay. Well, there's not a
2 lot to talk about today since the Staff and Companies and OPC
3 have already filed a proposed procedural schedule.

4 Do any parties object to the schedule that was
5 filed?

6 (No response.)

7 JUDGE BUSHMANN: I don't hear anything.

8 I think it looks pretty good. There was one
9 thing that I thought needed to be changed, a minor
10 modification, and that's about position statements. It was
11 originally filed -- sent to be filed on August -- October
12 30th, which I believe is the Friday before the hearing starts
13 the following week. I've been told by Commissioners they
14 don't like that; and, so, the last couple of times that I've
15 had this come up, they prefer to get position statements
16 prior to a week before the hearing starts.

17 So, it's my position we move that back from
18 October 30th back a couple days and have that filed October
19 28th, the same time the list of issues and other -- the order
20 of witnesses crossed and opening files. Anybody have any
21 problems with that proposal?

22 MR. OPITZ: Judge, if I may, I would suggest
23 that, in my experience, it's been difficult to have position
24 statements due the same day of list of issues. I guess I'm
25 looking at the surrebuttal is the day before, or the 27th,

1 and listed issues is the next day.

2 Would the 29th be, I guess, amenable to the
3 Commissioners, do you know? I would note that the
4 evidentiary hearing is not beginning on Monday, I don't
5 believe. I think it's on a Tuesday.

6 JUDGE BUSHMANN: Tuesday, right.

7 MR. OPITZ: So, that would be two days if we
8 had the 30th, and then that, I believe November 2nd.

9 JUDGE BUSHMANN: Yeah. That is a tight week,
10 isn't it? Okay. Why don't we make that then the 29th.

11 MR. OPITZ: Okay.

12 JUDGE BUSHMANN: There is a lot going on.
13 Especially give them enough time to review it over the
14 weekend.

15 I didn't have any other changes. The rest of
16 it looks pretty good. Obviously, we don't have a lot of time
17 here. I'm sure the parties are well aware of that. But I
18 didn't have anything else that I needed to talk about.

19 Do any parties have anything that they need to
20 bring up?

21 MR. OPITZ: Judge, I guess I have maybe a
22 procedural question. Since they are two separate cases,
23 we've identified dates for each of them, and I can say from
24 my office I envisioned filing similar testimony but in each
25 docket.

1 Do you have any, I guess, preference as to how
2 the list of issues or position statements and all of the rest
3 of the briefs in these cases are handled? Do you believe
4 it's necessary to, you know, file position statements as if
5 they were two cases although we've got the hearing set for
6 the same date?

7 JUDGE BUSHMANN: Right. My guess is these are
8 going to overlap predominantly. And, probably, the best
9 thing to do would be to file them together when you can and
10 then point out clearly where there might be a difference
11 between the two companies. And that way you don't have to --
12 and you can make it one document with two headings if you
13 want, the same, one for each of the cases. That will cut
14 down on document preparation, and then try -- try and do them
15 together to the extent possible, but just make it clear when
16 there is a difference, that that shows up.

17 MR. OPITZ: Thank you.

18 JUDGE BUSHMANN: If that clarifies things.
19 Anybody else have anything that they need to
20 talk about?

21 (No response.)

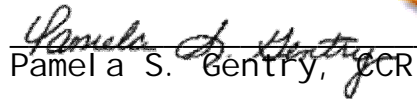
22 JUDGE BUSHMANN: All right. Hearing none
23 then, I will go off the record, and you all have the phone
24 until 4.

25 (Record was closed at 2:09 p.m.)

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C E R T I F I C A T E

I, PAMELA S. GENTRY, Certified Shorthand Reporter, CCR No. 426, within and for the State of Missouri With the firm of Tiger Court Reporting, LLC, 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.


Pamela S. Gentry, CCR



<p style="text-align: center;">A</p> <p>above-entitled 11:7</p> <p>address 6:10,15 6:22 7:15</p> <p>afternoon 6:20 6:25</p> <p>Alex 3:3 6:13</p> <p>amenable 9:2</p> <p>Ameren 3:14 6:24</p> <p>Andrew 4:8 7:15</p> <p>Antal 3:3 6:13 6:13</p> <p>Anybody 8:20 10:19</p> <p>appearance 5:18 5:22</p> <p>APPEARAN... 2:1 3:1 4:1</p> <p>appearing 6:3,9 6:14 7:14,17</p> <p>Application 1:12,18 5:10</p> <p>assume 5:16</p> <p>August 8:11</p> <p>Authority 1:12 1:18 5:6,10</p> <p>Avenue 3:16 7:1</p> <p>aware 9:17</p> <hr/> <p style="text-align: center;">B</p> <p>back 8:17,18</p> <p>beginning 9:4</p> <p>behalf 5:21 6:3 6:14,21 7:9,19</p> <p>believe 8:12 9:5 9:8 10:3</p> <p>Berlin 2:10 6:3,4</p> <p>best 10:8</p> <p>Bob 2:10 6:4</p> <p>Bolivar 3:11 6:22</p> <p>Box 2:15,23 6:6</p>	<p>6:10</p> <p>briefs 10:3</p> <p>bring 9:20</p> <p>Broader 6:16</p> <p>Broadway 4:9 7:15</p> <p>Bryan 3:10</p> <p>Bushmann 1:21 5:2,13 6:2,7,12 6:16,24 7:2,7 7:12,17,21,23 8:1,7 9:6,9,12 10:7,18,22</p> <hr/> <p style="text-align: center;">C</p> <p>C 5:1 11:1,1</p> <p>caption 11:8</p> <p>captioned 5:5</p> <p>case 5:7,8</p> <p>cases 5:5 9:22 10:3,5,13</p> <p>cause 11:7</p> <p>Cave 3:10</p> <p>CCR 1:24 11:4 11:15</p> <p>Center 3:21 7:5</p> <p>Certified 11:3</p> <p>certify 11:6</p> <p>changed 8:9</p> <p>changes 9:15</p> <p>Choteau 7:1</p> <p>Chouteau 3:16</p> <p>City 1:7,10 2:2,6 2:17,24 3:6,12 5:5,19,24,25 6:6,11,22</p> <p>clarifies 10:18</p> <p>clear 10:15</p> <p>clearly 10:10</p> <p>closed 10:25</p> <p>Columbia 4:10 7:16</p> <p>come 8:15</p> <p>Commission 1:2</p>	<p>2:9,14,22 5:4 6:2</p> <p>Commission's 6:5</p> <p>Commissioners 8:13 9:3</p> <p>companies 5:22 8:2 10:11</p> <p>Company 2:2,2 5:19,25</p> <p>Company's 1:11 1:16 5:6,9</p> <p>concurrently 5:16</p> <p>Conference 1:5 5:4</p> <p>Consumers 3:8 6:19,21</p> <p>cont'd 3:1 4:1</p> <p>contacted 6:17 6:17</p> <p>correct 11:10</p> <p>COUNCIL 3:19</p> <p>counsel 2:20 5:17 6:8,10 7:3</p> <p>couple 8:14,18</p> <p>Court 1:25 6:15 11:5</p> <p>crossed 8:20</p> <p>cut 10:13</p> <hr/> <p style="text-align: center;">D</p> <p>D 5:1</p> <p>d/b/a 4:7</p> <p>date 10:6</p> <p>dates 9:23</p> <p>David 4:3 7:10</p> <p>day 8:24,25 9:1</p> <p>days 8:18 9:7</p> <p>Defense 3:19 7:3</p> <p>Demand- 5:6</p> <p>Demand-Side 1:13</p> <p>Development</p>	<p>3:4 6:14</p> <p>difference 10:10 10:16</p> <p>difficult 8:23</p> <p>Division 3:2,4 6:12,13,14</p> <p>docket 9:25</p> <p>document 10:12 10:14</p> <p>Dority 2:4 5:23</p> <p>Downey 3:9 6:20,20</p> <p>due 8:24</p> <hr/> <p style="text-align: center;">E</p> <p>E 5:1,1 11:1,1</p> <p>EARTH 4:7</p> <p>East 4:9 7:15</p> <p>Economic 3:4 6:14</p> <p>Edward 3:9 6:20</p> <p>Energy 3:2,8 6:12,15,19,21</p> <p>entries 5:17</p> <p>Environmental 3:21 7:5</p> <p>envisioned 9:24</p> <p>EO-0215-0240 5:8</p> <p>EO-2015-0240 1:12</p> <p>EO-2015-0241 1:17 5:12</p> <p>Especially 9:13</p> <p>Establish 1:13 1:19 5:6,10</p> <p>evidentiary 9:4</p> <p>excuse 6:17</p> <p>excused 6:18</p> <p>experience 8:23</p> <p>extent 10:15</p> <hr/> <p style="text-align: center;">F</p> <p>F 11:1</p>	<p>Fenton 4:5 7:10</p> <p>file 1:12,17,17 5:7,10,11 10:4 10:9</p> <p>filed 8:3,5,11,11 8:18</p> <p>files 8:20</p> <p>filing 5:6 9:24</p> <p>firm 11:5</p> <p>Fischer 2:3,4 5:21,23,23</p> <p>following 8:13</p> <p>foregoing 11:9</p> <p>forth 11:7</p> <p>Fourth 3:22 7:5</p> <p>Friday 8:12</p> <p>full 11:10</p> <hr/> <p style="text-align: center;">G</p> <p>G 5:1</p> <p>Gentry 1:24 11:3,15</p> <p>give 9:13</p> <p>GLLC 6:16</p> <p>go 5:2 10:23</p> <p>going 9:12 10:8</p> <p>good 6:20,25 8:8 9:16</p> <p>Great 3:21 7:5</p> <p>Greater 1:15 2:2 5:9,20</p> <p>guess 8:24 9:2 9:21 10:1,7</p> <hr/> <p style="text-align: center;">H</p> <p>handled 10:3</p> <p>headings 10:12</p> <p>hear 8:7</p> <p>hearing 8:12,16 9:4 10:5,22</p> <p>Henry 3:20 7:4</p> <p>High 3:5</p> <p>Housing 4:7,7 7:12,14,20</p>
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