

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

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11 In the Matter of the Application)
of The Empire District Electric)
12 Company for Authority to Transfer)
Functional Control of Certain) Case No. EO-2006-0141
13 Transmission Assets to the)
Southwest Power Pool, Inc.)

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In the Matter of the Application)
15 of Kansas City Power & Light)
Company for Authority to Transfer)
16 Functional Control of Certain) Case No. EO-2006-0142
Transmission Assets to the)
17 Southwest Power Pool, Inc.)

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KENNARD L. JONES, Presiding,
19 REGULATORY LAW JUDGE.

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22 REPORTED BY:

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7 FOR: Staff of the Missouri Public
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1 P R O C E E D I N G S

2 JUDGE JONES: This is a prehearing
3 conference for Cases EO-2006-0141 and EO-2006-0142.
4 EO-2006-0141 is in the matter of the application of The
5 Empire District Electric Company for authority to transfer
6 functional control of certain transmission assets to the
7 Southwest Power Pool, Incorporated. EO-2006-0142 is in
8 the matter of the application of Kansas City Power & Light
9 Company for authority to transfer functional control of
10 certain transmission assets to the Southwest Power Pool,
11 Incorporated.

12 My name is Kennard Jones. I'm the
13 Presiding Judge in these cases. As many of you here know,
14 all of the parties to both these cases are pretty much the
15 same. That's why I wanted to have this prehearing
16 conference all at the same time.

17 First we'll deal with 0141, which is
18 Empire's application. Let's see. Southwest Power Pool,
19 Aquila and Midwest Independent Transmission System
20 Operator have all been granted intervention. Kansas City
21 Power & Light has an application to intervene. Are there
22 any objections to that application?

23 (No response.)

24 JUDGE JONES: Seeing none, Kansas City
25 Power & Light then is granted intervention. I'll issue a

1 notice memorializing that. That's all I have with 0141.

2 With regard to EO-2006-0142, Empire has
3 filed an application to intervene. Are there any
4 objections to that application?

5 (No response.)

6 JUDGE JONES: Seeing none, Empire's granted
7 intervention, and I'll do as I stated I'd do in 0141 I'll
8 do in this case.

9 Also, there's a motion to participate
10 pro hoc vice that's been filed. Is that attorney present?
11 What is your name? I'm sorry.

12 MR. BLANC: Curtis Blanc, and I can
13 withdraw that motion. I have temporary approval from the
14 Supreme Court of Missouri while my application to the Bar
15 is pending, but I am authorized by the Supreme Court of
16 Missouri to practice.

17 JUDGE JONES: Oh, so you're withdrawing
18 your motion?

19 MR. BLANC: I can withdraw it. That came
20 subsequent to me filing the motion.

21 JUDGE JONES: So you're licensed to
22 practice here now?

23 MR. BLANC: Yes.

24 JUDGE JONES: Congratulations, I think.
25 I'll issue a notice in that regard just to make it clear

1 in the docket what happened with that motion.

2 MR. BLANC: Okay.

3 JUDGE JONES: The only thing I had to talk
4 about with you guys is consolidating these matters. I
5 have a feeling you-all won't want to actually consolidate
6 these cases because they could take off in two different
7 routes, but I want to know how you feel about
8 consolidating them just for purposes of procedure, having
9 all the dates be the same because all of the parties are
10 exactly the same. I suspect the issues are the same.
11 Does anyone have any objections to that, any concerns?

12 MR. COOPER: Your Honor, I think Empire is
13 fine with what I think you outlined, which is a joint
14 procedural schedule as opposed to consolidation.

15 MR. BLANC: Kansas City Power & Light would
16 agree with that.

17 JUDGE JONES: Is there anyone that doesn't
18 agree?

19 (No response.)

20 JUDGE JONES: All right. And the last
21 thing I want to do is take the roll call. Can we start
22 with Empire District?

23 MR. COOPER: Your Honor, do you want us to
24 enter appearances?

25 JUDGE JONES: Yes.

1 MR. COOPER: Dean Cooper, P.O. Box 456,
2 Jefferson City, Missouri 65102, appearing on behalf of the
3 Empire District Electric Company.

4 JUDGE JONES: And the Southwest Power Pool?

5 MR. LINTON: Yes. I'm here on behalf of
6 the Southwest Power Pool. David C. Linton, 424 Summer Top
7 Lane, Fenton, Missouri 63026.

8 JUDGE JONES: Aquila?

9 MR. BOUDREAU: Paul Boudreau, law firm of
10 Brydon, Swearngen & England, Post Office Box 456,
11 Jefferson City, Missouri, appearing on behalf of Aquila,
12 Inc., doing business as Aquila MPS and Aquila Networks
13 L&P.

14 JUDGE JONES: Midwest Independent
15 Transmission Systems Operators?

16 MR. ZOBRIST: Carl Zobrist and Roger W.
17 Steiner, Sonnenschein, Nath & Rosenthal, 4520 Main Street,
18 Suite 1100, Kansas City, Missouri 64111, appearing for
19 Midwest ISO.

20 JUDGE JONES: And KCP&L?

21 MR. FISCHER: Your Honor, appearing on
22 behalf of Kansas City Power & Light, James M. Fischer and
23 Curtis Blanc. Our addresses are on the written entries of
24 appearance.

25 JUDGE JONES: Thank you. Staff of the

1 Commission?

2 MR. FREY: Your Honor, appearing on behalf
3 of the Staff of the Missouri Public Service Commission,
4 Dennis L. Frey and Steven Dottheim, Post Office Box 360,
5 Jefferson City, Missouri 65102.

6 JUDGE JONES: Is there anyone here from the
7 Office of the Public Counsel?

8 MR. WHEATLEY: Mark Wheatley, Post Office
9 Box 2230, Jefferson City, Missouri 65102, appearing on
10 behalf of the Office of the Public Counsel and the public.

11 JUDGE JONES: Are there any other attorneys
12 here who would like to enter an appearance?

13 Well, seeing none, are there any other
14 issues you-all would like to talk about before I leave you
15 to yourselves?

16 (No response.)

17 JUDGE JONES: With that, then, we'll go off
18 the record and you-all can talk about how to work this
19 out. Thanks.

20 WHEREUPON, the recorded portion of the
21 prehearing conference was concluded.

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