

1 BEFORE THE PUBLIC SERVICE COMMISSION

2 STATE OF MISSOURI

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4 TRANSCRIPT OF PROCEEDINGS

5 Prehearing Conference

6 January 17, 2012

7 Jefferson City, Missouri

8 Volume 1

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10
11 In the Matter of

12 KCP&L Greater Missouri)

13 Operations Company's)

14 Application For Approval Of)

15 Demand-Side Programs And For) File No. EO-2012-0009

16 Authority To Establish A)

17 Demand-Side Programs)

18 Investment Mechanism)

19 _____
20
21 RONALD D. PRIDGIN, Presiding

22 SENIOR REGULATORY LAW JUDGE

23
24 REPORTED BY:

25 NANCY L. SILVA, RPR, CCR

 TIGER COURT REPORTING, LLC

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1 JUDGE PRIDGEN: Good morning. We are
2 on the record. These are the prehearing
3 conferences in Cases No. EO-2012-0008 and
4 EO-2012-0009, and these are the demand-side
5 investment mechanism applications of both KCP&L
6 Greater Missouri Operations Company and Kansas
7 City Power and Light Company.

8 I'm Ron Pridgen. I'm the regulatory
9 law judge assigned to preside over this prehearing
10 conference that's being held on January 17, 2012.
11 We are in the Governor Office Building in
12 Jefferson City, Missouri. The time is
13 approximately 10:05 a.m.

14 I would like to get oral entries of
15 appearance from counsel starting with the
16 Applicant, please.

17 MR. STEINER: My name is Roger W.
18 Steiner. I'm appearing on behalf of Kansas City
19 Power & Light Company and KCP&L Greater Missouri
20 Operations Company. I have given my contact
21 information to the court reporter.

22 MR. BRUDER: This is Perry Bruder. I
23 can't hear.

24 JUDGE PRIDGEN: I'm sorry, Mr. Bruder.
25 It was just Mr. Steiner giving oral entries of

1 appearance.

2 MR. BRUDER: Okay.

3 JUDGE PRIDGEN: On behalf of the Staff
4 of the Commission, please.

5 MS. HERNANDEZ: Jennifer Hernandez,
6 Nathan Williams and Amy Moore in the 0008 case,
7 and Jennifer Hernandez, Nathan Williams, and
8 Goldie Tompkins in the 0009 case. And I've also
9 provided the written address and contact
10 information to the court reporter and made a
11 record, also, with John Rogers, Marsha Wintham,
12 Lena Mantle Natelle Dietrich, and Mark
13 Oligschlaeger for the Staff.

14 JUDGE PRIDGEN: Ms. Hernandez, thank
15 you.

16 On behalf of the Office of Public
17 Counsel, please.

18 MR. MILLS: On behalf of the Office of
19 Public Counsel and the public, my name is Lewis
20 Mills. My address is P.O. Box 2230, Jefferson
21 City, Missouri, 65101.

22 JUDGE PRIDGEN: Mr. Mills, thank you.

23 I have several applicants wanting to
24 intervene in this case and let me go through them
25 one at a time and then I'll see if I've missed

1 anyone. I'm calling these in no particular order.

2 The Missouri Department of Natural
3 Resource, please.

4 MR. McMANUS: John McManus, Missouri
5 Attorney General's Office. I will not be the
6 attorney in the future. It will be Jessica Blome.

7 JUDGE PRIDGEN: All right,
8 Mr. McManus. Thank you.

9 MR. BRUDER: I'm sorry. This is Perry
10 Bruder again. Jessica -- I heard "Jessica." Id
11 didn't hear the last name.

12 MR. McMANUS: Blome, B-l-o-m-e.

13 MR. BRUDER: Thank you.

14 JUDGE PRIDGEN: On behalf of the United
15 States Department of Energy, please.

16 MR. BRUDER: This is Arthur Perry
17 Bruder, 1000 Independence Avenue, Washington, DC,
18 20585. Thanks very much.

19 JUDGE PRIDGEN: Mr. Bruder, thank you.

20 On behalf of Ameren Missouri, please.

21 MR. TRIPP: Michael Tripp, Smith Lewis,
22 P.O. Box 918, Columbia, Missouri 65205.

23 JUDGE PRIDGEN: Mr. Trip, thank you.

24 On behalf of the Sierra Club, please.

25 MR. ROBERTSON: Henry Robertson, Great

1 Rivers Environmental Law Center, 705 Olive Street,
2 Suite 614, St. Louis, 63101.

3 JUDGE PRIDGEN: Mr. Robertson, thank
4 you.

5 On behalf --

6 MR. ROBERTSON: By the way, I can't
7 hear anybody but the judge.

8 JUDGE PRIDGEN: Okay. Thank you.
9 Luckily, you're not really missing anything other
10 than names and addresses, and the on-the-record
11 portion will end pretty briefly, and then I'll put
12 the phone over to where you can talk to people
13 more easily and hear them better, so you haven't
14 missed anything of substance.

15 MR. ROBERTSON: All right. Thank you.

16 JUDGE PRIDGEN: Thank you.

17 On behalf of Praxair, Incorporated,
18 please.

19 MR. CONRAD: Your Honor, in both cases
20 Praxair -- in the case ending in 8 and MEUA, in
21 the case ending in 09, Stu Conrad, Finnegan,
22 Conrad and Peterson. I have provided the court
23 reporter with address and telephone information.
24 Thank you.

25 JUDGE PRIDGEN: Mr. Conrad, thank you.

1 On behalf of Missouri Gas Energy,
2 please.

3 MR. COOPER: Dean Cooper from the law
4 firm of Brydon, Swearngen & England, PC,
5 appearing on behalf of Southern Union Company,
6 doing business as Missouri Gas Energy.

7 JUDGE PRIDGEN: Mr. Cooper, thank you.

8 On behalf of Missouri Industrial Energy
9 Consumers, please.

10 MS. ILES: Your Honor, Carole Iles,
11 Bryan Cave LLP, 221 Bolivar Street, Jefferson
12 City, Missouri. Also entering appearance for
13 Diana Vuylsteke, who will be appearing in this
14 case later on.

15 JUDGE PRIDGEN: Ms. Iles, thank you.

16 On behalf of Walmart Stores,
17 Incorporated, please.

18 MR. WOODSMALL: Thank you, you Honor.
19 In both the KCP&L and the GMO cases, David
20 Woodsmall, and I've previously entered my
21 appearance.

22 JUDGE PRIDGEN: Mr. Woodsmall, thank
23 you.

24 Did I miss anyone?

25 (No response.)

1 JUDGE PRIDGEN: All right. And I'm
2 certainly willing to give the applicants time on
3 these applications to intervene since they were
4 just filed.

5 And let me simply inquire:
6 Mr. Steiner, do you know if you need more time to
7 respond to those applications, or do you know now
8 if you have any objections?

9 MR. STEINER: Regarding Walmart, I
10 haven't seen that one. I saw it come across the
11 wire last night. I'd like to look at that.

12 I do have objections to a couple of the
13 interventions, and I can go over those now, if
14 you'd like.

15 JUDGE PRIDGEN: Well, I don't mind if
16 you wouldn't mind filing your written objections,
17 so it's something I would probably need to take up
18 with the Commission, so just in the interest of
19 time, if you just wanted to file your written
20 objections so the Commission can rule on those --

21 MR. STEINER: That would be fine.

22 JUDGE PRIDGEN: Okay. I believe the
23 only thing I would have for the parties is my
24 understanding of the rather strict or rather tight
25 time frame that the Commission has to rule on the

1 application.

2 I believe it's 120 days from the date
3 of the application, and I have reserved the
4 hearing room for about the only time I think would
5 be available for hearing, which would be the early
6 part of March. I would believe it would be that
7 first full week of March, and even more time after
8 that, if necessary.

9 Missouri American Water has a rate case
10 pending, and that's set to go to hearing in late
11 February, so that is out of the question. I would
12 assume earlier than that would be too soon for the
13 parties. If you're simply wanting to go to
14 hearing sooner, I imagine we could accommodate
15 you, but I don't know that we could go any later
16 than March because I believe a decision would be
17 due from the Commission in late April or so, so
18 you know, normally I would say, you know, please
19 feel free to talk and get back with me on your
20 proposed dates, but I don't -- and I'm certainly
21 willing to listen to the parties, if you have
22 other suggestions, but I, frankly, have a hard
23 time seeing any other time that would be available
24 other than early March.

25 Is there anything further from the

1 parties before I go off the record and let you
2 continue to talk?

3 MS. HERNANDEZ: If I could just
4 inquire: Do you know the Commission's preference
5 in terms of how much time they want for the case
6 to be submitted and then decided upon?

7 JUDGE PRIDGEN: I really do not. It's
8 going to have to be briefed, I would think, late
9 March or early April because the Commission's
10 going to have to have time to make decisions, and
11 I'm going to have to have time to write a report
12 and order, so we're on a really tight schedule. I
13 don't know how else to put it.

14 Anything further I can do for the
15 parties before we go off the record, and I'll let
16 you continue to talk?

17 (No response.)

18 JUDGE PRIDGEN: Okay. Hearing nothing,
19 we'll go off the record here in just a moment and
20 I'll ask the parties on the phone to please bear
21 with me. We'll move the phone around so people
22 can talk.

23 And there's nothing further?

24 (No response.)

25 JUDGE PRIDGEN: All right. We will go

1 off the record in the prehearing conferences in
2 Cases No. EO-2012-0008 and 0009.

3 Thank you. We are off the record.

4 (The hearing concluded.)

1 CERTIFICATE

2 I, Nancy L. Silva, RPR, a Certified
3 Court Reporter, CCR No. 890, the officer before
4 whom the foregoing hearing was taken, do hereby
5 certify that the witness whose testimony appears
6 in the foregoing hearing was duly sworn; that the
7 testimony of said witness was taken by me to the
8 best of my ability and thereafter reduced to
9 typewriting under my direction; that I am neither
10 counsel for, related to, nor employed by any of
11 the parties to the action in which this hearing
12 was taken, and further, that I am not a relative
13 or employee of any attorney or counsel employed by
14 the parties thereto, nor financially or otherwise
15 interested in the outcome of the action.

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18 Nancy L. Silva, RPR, CCR
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