

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Conference

October 10, 2006  
Jefferson City, Missouri  
Volume 4

In Re: Union Electric Company's )  
2005 Utility Resource Filing )Case No. EO-2006-0240  
Pursuant to 4 CSR 240 - Chapter 22 )

MORRIS L. WOODRUFF, Presiding  
DEPUTY CHIEF REGULATORY LAW JUDGE

REPORTED BY: Monnie S. VanZant, CCR, CSR, RPR  
Midwest Litigation Services  
3432 W. Truman Boulevard, Suite 207  
Jefferson City, MO 65109  
(573) 636-7551

1 A P P E A R A N C E S

2 For Staff of the Missouri Public Service Commission:

3 Mr. Steven Dottheim  
4 Missouri Public Service Commission  
5 P.O. Box 360  
6 200 Madison Street  
Jefferson City, MO 65102  
(573) 751-7489

7 For Office of Public Counsel:

8 Mr. Lewis Mills  
9 Office of the Public Counsel  
P.O. Box 2230  
200 Madison Street  
10 Jefferson City, MO 65102  
11 (573) 751-7489

12 For Missouri Department of Natural Resources:

13 Ms. Shelley A. Woods  
14 Office of the Attorney General  
221 W. High Street  
P.O. Box 899  
15 Jefferson City, MO 65102  
16 (573) 751-8795

17 For AmerenUE:

18 Mr. Thomas Byrne  
19 Attorney at Law  
1901 Cheateau Avenue  
St. Louis, MO 63103  
20 (314) 554-2514

21 For Sierra Club and Coalition for the Environment,  
22 Mid-Missouri Peace Works and ACORN:

23 Mr. Henry Robertson  
24 Great Rivers Environmental Law Center  
705 Olive Street, Suite 614  
St. Louis, MO 63101  
25 (314) 231-4181

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

2 JUDGE WOODRUFF: All right. Let's go ahead and  
3 get started. We're here today for a conference in the  
4 Case No. EO-2006-0240, which concerns Union Electric  
5 Company's utility resource filing requirement.

6 And we'll begin today by taking entries of  
7 appearance beginning with AmerenUE.

8 MR. BYRNE: Thank you, your Honor. My name is  
9 Tom Byrne, and my address is 1901 Cheauteau Avenue, St.  
10 Louis, Missouri, 63103. And I'm representing AmerenUE.

11 JUDGE WOODRUFF: Okay. And for Staff?

12 MR. DOTTHEIM: Steven Dottheim, Post Office Box  
13 360, Jefferson City, Missouri, 65102, appearing on behalf  
14 of the Staff of the Missouri Public Service Commission.

15 JUDGE WOODRUFF: And for the Office of Public  
16 Counsel?

17 MR. MILLS: On behalf of the Office of Public  
18 Counsel, my name is Lewis Mills. My address is Post  
19 Office Box 2230 in Jefferson City, Missouri, 65102.

20 JUDGE WOODRUFF: Thank you. And for the Sierra  
21 Club?

22 MR. ROBERTSON: Henry Robertson. Do I need to  
23 repeat the address?

24 JUDGE WOODRUFF: No.

25 MR. ROBERTSON: Okay.

1 JUDGE WOODRUFF: And for the Department of  
2 Natural Resources?

3 MS. WOODS: Shelley Ann Woods, Post Office Box  
4 898, Jefferson City, Missouri, 65102, appearing on behalf  
5 of the Missouri Department of Natural Resources.

6 JUDGE WOODRUFF: For the Missouri Industrial  
7 Energy Consumers?

8 MR. BRUBAKER: Judge, MIEC is not represented by  
9 counsel today. I'm Morris Brubaker, a consultant at MIEC,  
10 just monitoring.

11 JUDGE WOODRUFF: Thank you. And for Missouri  
12 Energy Group? No one. And for Noranda Aluminum?

13 MR. DOTTHEIM: Mr. -- Judge Woodruff?

14 JUDGE WOODRUFF: Go ahead.

15 MR. DOTTHEIM: I believe -- because I know I've  
16 received a phone call from him on his cell phone a little  
17 earlier this morning, Mr. Conrad for Noranda Aluminum,  
18 Inc., is intending to be in attendance this morning, was  
19 planning on being here by now. I expect he should be here  
20 very shortly.

21 JUDGE WOODRUFF: All right. Well, thank you.  
22 We'll go ahead and -- which when comes, he can, of course,  
23 participate.

24 All right. I believe that's all the parties. I  
25 asked to schedule this conference essentially so that the

1 parties could give the Commission advice on where we want  
2 to proceed from here. The regulation indicates that the  
3 Commission, I believe it says, may schedule a hearing if  
4 it wishes to do so, and I'm asking the parties whether the  
5 Commission needs to conduct a hearing.

6 On the -- as the other alternative, can the  
7 Commission issue an order based on the existing record or  
8 if there's any additional information that you want to put  
9 in the record, let me know. I'll ask you to give me  
10 written recommendations by a week from today, the 17th.

11 If you can reach an agreement today, that would  
12 be great. If you can't reach an agreement, you can file  
13 competing recommendations, and the Commission will decide  
14 between them.

15 Is there anything else anyone wants to bring up  
16 while we're on the record?

17 MR. MILLS: The -- and recommendations in the  
18 event that at least some of us want to recommend a  
19 hearing, would you expect a proposed procedural schedule,  
20 prefiled testimony, the whole nine yards?

21 JUDGE WOODRUFF: I would expect a proposed  
22 procedural schedule. Whether or not you need prefiled  
23 testimony and so forth, make your recommendation, and the  
24 Commission will consider it.

25 As you are all no doubt aware, the Commission's

1 schedule is very crowded in the next few months, so --

2 MR. DOTTHEIM: Judge, it might -- Mr. Mills has  
3 broached the subject. It might expedite matters if -- if  
4 the parties -- in particular, the parties that were  
5 interested in -- in a hearing would propose with the  
6 procedural schedule how they would propose to proceed with  
7 prefiled testimony, who would file first, how many rounds  
8 of testimony and -- and maybe, too, frankly, if they are  
9 going to suggest a hearing even taking a look at the  
10 Commission's schedule and even suggesting dates because,  
11 as you've indicated, the -- the schedule is -- is quite --  
12 is quite congested.

13 And I don't know even how that might impact  
14 various parties' perspective. That is, if -- if there is  
15 not a chance of hearings in the immediate future, the --  
16 the hearings would have to be several months off whether,  
17 as a consequence, they might be more inclined to proceed  
18 by paper than -- than actually convening an evidentiary  
19 hearing for cross examination.

20 But I -- I certainly won't seek to speak on  
21 behalf of -- of -- of any other party. I just tossed  
22 those -- those matters out in particular, again, if -- if  
23 parties are seeking trying to -- to expedite this case as  
24 quickly as possible at this point.

25 JUDGE WOODRUFF: This is Judge Woodruff again.

1 And I will add that the Commission, for the first time, is  
2 starting to double-book hearings.

3 MS. WOODS: Oh, my.

4 JUDGE WOODRUFF: Which means that we have two  
5 hearing rooms, and we will probably be using both of them.  
6 So double-booking is a possibility.

7 Anything else anyone wants to bring up while  
8 we're on the record? All right. With that, then, the  
9 on-the-record portion of this proceeding is adjourned.  
10 And I'll leave you to your discussions. Thank you all  
11 very much.

12 MS. WOODS: Thank you.

13 MR. BYRNE: Thank you, Judge.

14 MR. ROBERTSON: Thank you, Judge.

15 JUDGE WOODRUFF: We're off the record.

16

17

18

19

20

21

22

23

24

25