

BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Prehearing Conference

December 22, 2010

Jefferson City, Missouri

Volume 1

In The Matter Of:
The Application of Union)
Electric Company for Authority)
to Continue The Transfer Of)
Functional Control Of Its) File No. E0-2011-0128
Transmission System To The)
Midwest Independent)
Transmission System Operator,)
Inc.)

MORRIS L. WOODRUFF, Presiding
CHIEF REGULATORY LAW JUDGE

REPORTED BY:

NANCY L. SILVA, RPR, CCR

TIGER COURT REPORTING, LLC

A P P E A R A N C E S

DEAN L. COOPER

Brydon, Swearingen & England
312 East Capitol Avenue, Suite 200
P.O. Box 456
Jefferson City, Missouri 65102
573.635.7166

FOR: The Empire District Electric Company

LEWIS MILLS

Office of the Public Counsel
P.O. Box 2230
Jefferson City, Missouri 65102
573.751.4857

FOR: Office of the Public Counsel and the Public

JAMES LOWRY

Smith Lewis, LLP
111 South Ninth Street, Suite 200.
Columbia, Missouri 65201
573.443.3141

FOR: Ameren Missouri

DAVID LINTON

DAVID C. LINTON, LLC
424 Summer Top Lane
Fenton, Missouri 63026
636.349.9028

FOR: Southwest Power Pool

KEITH BEAL

Midwest ISO
P.O. Box 4202
Carmel, Indiana 46082
317.249.5400

FOR: Midwest ISO

MEGHAN McCLOWRY, Legal Counsel

NATHAN WILLIAMS, Deputy Counsel

Missouri Public Service Commission
200 Madison Street
P.O. Box 360
Jefferson City, Missouri 65102
573.751.6726

FOR: Missouri Public Service Commission

JUDGE WOODRUFF: Let's go ahead and get started, although I don't see anyone from Ameren yet, but we'll go ahead and get on the record and see where we're at.

This is a prehearing conference in File No. E0-2011-0128, concerning the application of Union Electric Company for authority to continue transfer of functional control of its transmission system to the Midwest Independent Transmission System Operator, Incorporated.

We're here for a prehearing conference, and before we go ahead and take entries of appearance from attorneys, I'm going to ask who's on the telephone.

If the people on the telephone can identify themselves --

MR. BEAL: Your Honor, thank you very much. This is Keith Beal, in-house counsel with Midwest ISO, an intervenor in the docket.

JUDGE WOODRUFF: Okay.

MR. DOPHMI NE: This is Jim Dophmine, a consultant for the Missouri Industrial Energy Consumers, also an intervener in the docket.

JUDGE WOODRUFF: Okay.

MS. EMMANUEL: Kelly Emmanuel with Empire Electric.

MR. WARREN: Barry Warren with Empire District Electric.

We're also interveners in the case.

JUDGE WOODRUFF: All right. Anybody else?

(No response.)

JUDGE WOODRUFF: All right. I think that's all the people on the telephone then. We'll go ahead and take entries of appearance from the attorneys, beginning with Ameren.

MR. LOWRY: Good afternoon, your Honor. James Lowry, Smith Lewis, LLP, 111 South Ninth Street, Columbia, Missouri 65201, appearing on the behalf of Ameren Missouri.

JUDGE WOODRUFF: Thank you.

For Staff.

MR. WILLIAMS: Nathan Williams and Megan McClowry, P.O. Box 360, Jefferson City, Missouri 65102.

JUDGE WOODRUFF: Public Counsel.

MR. MILLS: On behalf of the Office of Public Counsel and the public, my name is Lewis Mills. My address is P.O. Box 2230, Jefferson City, Missouri 65102.

JUDGE WOODRUFF: For Southwest Power Pool.

(No response.)

JUDGE WOODRUFF: Anyone here for SPP? No?

MR. MILLS: Judge, it's my understanding that David Litton is in the building in another conference call, and it's my understanding he was planning to be here.

MR. COOPER: Yeah, my understanding, he was planning to be here as well.

MR. LITTON: I apologize for being a little late, your Honor. My watch is a little different than the Commission's clock, apparently.

JUDGE WOODRUFF: Okay.

MR. COOPER: Here's Mr. Litton now, right on time.

JUDGE WOODRUFF: All right.

MR. LITTON: Sorry about that.

JUDGE WOODRUFF: Mr. Litton, we were just taking entries of appearance, if you want to enter your appearance for SPP.

MR. LITTON: Yes. David C. Litton, 424 Summertap Lane, Fenton, Missouri, 63026, on behalf of Southwest Power Pool.

JUDGE WOODRUFF: For MIEC.

Anyone here for MIEC?

(No response.)

JUDGE WOODRUFF: For Empire.

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

JUDGE WOODRUFF: And for the Midwest ISO.

MR. BEAL: Keith Beal on the telephone, your Honor, appearing on behalf of Midwest ISO.

JUDGE WOODRUFF: Very good. Well, thank you all for coming this afternoon, and I just wanted to bring you all here together to have you discuss how we can proceed further in this

case.

As usual, I'll ask you to prepare a procedural schedule in approximately a week, actually a week from today. Of course there's — we're in the Christmas holiday season and I won't be here next week, so you don't need to worry about next week. Aim for January 3, the Monday after the holidays.

Give me a post-procedural schedule as to how — what we need to do in this case and how we want to do it.

As to the people who are in the room, you may note we now have a conference table in here, so if you want to move up and around the conference table, that's fine. I'm going to take my leave in a moment here, but first I'll ask if anyone has anything else they want to bring up while we're on the record.

(No response.)

JUDGE WOODRUFF: All right. I don't hear anything else, so with that the on-the-record portion of this proceeding is adjourned, and I'll leave you to your discussions.

Thank you.

CERTIFICATE OF REPORTER

I, Nancy L. Silva, RPR, CCR, within and for the State of Missouri, do hereby certify that the witness' testimony that appears in the foregoing proceeding was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this proceeding was taken, and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Nancy L. Silva, RPR, CCR