

In the Matter of:

The First Prudence Review of KCP&L

EO-2018-0364 EO-2018-0363

December 06, 2018



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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Procedural Conference

December 6, 2018
Jefferson City, Missouri
Volume 1,

In the Matter of the First)
Prudence Review of KCP&L Greater)
Missouri Operations Company's)
("GMO") Implementation of Its) EO-2018-0364
Cycle 2 Energy Efficiency)
Programs in Furtherance of)
Missouri Energy Efficiency)
Investment Act ("MEEIA"))

In the Matter of the First)
Prudence Review of Kansas City)
Power and Light Company's ("KCPL")) EO-2018-0363
Implementation of its Cycle 2)
Energy Efficiency Programs in)
Furtherance of the Missouri Energy)
Efficiency Investment Act ("MEEIA"))

JOHN CLARK, Presiding
REGULATORY LAW JUDGE

REPORTED BY:

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P R O C E E D I N G S

JUDGE CLARK: Today's date is December 6, 2018, and the current time is 9:00 a.m. We're in Room 305 of the Governor Office Building. The Commission has set aside this time for a procedural conference, and the case is captioned as In the Matter of the First Prudence Review of Kansas City Power and Light Companies implementation of its Cycle 2 Energy Efficiency Programs, in furtherance of the Missouri Energy Efficiency Investment Act, or MEEIA, File No. EO-2018-0363, and In the Matter of the First Prudence Review of KCP&L Greater Missouri Operation Company's Implementation of its Cycle 2 Energy Efficiency Program, in furtherance of Missouri Energy Efficiency Investment ACT File No. EO-2018-0364.

My name's John Clark. I'm the regulatory law judge in this matter. I'm going to begin by asking the attorneys to make their entries of appearance for the record, starting with Kansas City Power and Light.

MR. FISCHER: Yes, Judge, let the record reflect the appearance of Roger W. Steiner, on the telephone, and James M. Fischer for Kansas City Power and Light Company, and KCP&L Greater Missouri Operation Company. Our contact information is provided to the court reporter.

1 JUDGE CLARK: Thank you. And for the
2 Commission Staff.

3 MR. BERLIN: Yes, Judge, appearing on behalf
4 of the Staff of the Commission is Robert S. Berlin, and
5 my contact information is with the court reporter and
6 it is at the office of the Commission.

7 JUDGE CLARK: And for the office of public
8 counsel.

9 MR. HALL: Thank you, Judge. Caleb Hall,
10 appearing on behalf of public counsel. Our contact
11 information has also been provided to the court
12 reporter.

13 JUDGE CLARK: Okay. Thank you. I asked off
14 the record, but I'm going to go ahead and ask now
15 anyway. Is there anybody I'm missing? I don't hear
16 from anyone.

17 There's a few things I wanted to discuss
18 today. First of all, are there any preliminary matters
19 that need to be taken up at this time?

20 MR. FISCHER: Judge, I would just mention to
21 you before you get too far, that the parties are in
22 discussions to try to resolve the issues in this case.
23 And it's at least Kansas City Power and Light's hope
24 that there won't be a need for a litigated proceeding
25 in this. And I think we would request that we'd be

1 given an opportunity to continue our talks, and have a
2 perhaps file status report for -- so you'll know where
3 things are at. But it's certainly up to the Commission
4 and your discretion. But that's what -- that's what
5 our recommendation would be, I guess.

6 JUDGE CLARK: Okay.

7 MR. STEINER: Yeah, Your Honor, we -- this is
8 Roger. We've had one meeting with the parties already
9 and it looked like the staff was needing --
10 was needing some additional information about the
11 disallowed activities and products. And we've -- we've
12 pretty much got that all put together. We haven't
13 provided it yet, but I anticipate that happening by the
14 end of the week. And we'd like -- as Mr. Fischer said,
15 we'd like to have some more meetings with the parties.
16 We think there's a good chance it can get resolved, so
17 there's a little color there.

18 JUDGE CLARK: Okay. Thank you, Mr. Steiner.
19 A Commission order was required on this case unless a
20 hearing was requested by December 31st. Since Kansas
21 City Power and Light and GMO requested a hearing, that
22 time requirement is no longer necessary. I'd
23 originally -- as I usually do in these kinds of
24 procedural conferences, I was going to request that the
25 parties put together a procedural schedule. But I'm

1 certainly mindful if the parties are attempting a
2 resolution of the matter. That's obviously a better
3 outcome overall.

4 But that leaves me with a couple of questions
5 that I had in regards to any potential hearing. No. 1,
6 is -- is -- while I have attorneys representing both
7 companies in this matter, is there going to be any
8 opposition if this goes to hearing that you foresee to
9 doing these together as one hearing for both GMO and
10 KCP&L?

11 MR. FISCHER: No, Judge, I think that'd be
12 very efficient.

13 JUDGE CLARK: Because I think they're going
14 to be staying witnesses.

15 MR. BERLIN: Staff agrees.

16 JUDGE CLARK: Okay. No. 2, because up until
17 now, that's just resulted in, you know, staff
18 essentially filing their -- their report regarding the
19 Prudence Review, there hasn't been any notice that's
20 gone out in regards to interveners. I anticipate --
21 I'll probably send out something in case somebody wants
22 to intervene anyway, because requesting the hearing
23 makes this a contested case even if the parties are
24 attempting to work out a resolution. I don't know if
25 that's usual, but that's what I'm going to do.

1 MR. STEINER: I -- I'll have to look, Your
2 Honor. I thought all parties were aware that are --
3 that were -- that were part of MEEIA had had the
4 opportunity to intervene in this, but that may not be
5 the case. So I'll -- I understand what you're saying.

6 JUDGE CLARK: Okay. And I appreciate that.
7 I'll look at that; if that's the case, then I may not
8 issue anything. But if there's any ambiguity, I'll
9 give -- I will give parties an opportunity to
10 intervene.

11 In regards to attempting to work this out in
12 a status report, how much time would you be asking for?

13 MR. FISCHER: Roger, is 30 days reasonable,
14 from your perspective?

15 MR. STEINER: I think that will work. I
16 don't know, Bob, Caleb, do you seem to think that will
17 work? I don't know. That seems right.

18 MR. BERLIN: So a status report would be due,
19 what date then?

20 MR. HALL: Right.

21 MR. BERLIN: Why don't we -- why don't we --

22 MR. HALL: Do we want to go to January 4th?
23 I mean, that's -- oh, wait, no. I've got -- yeah,
24 that's -- I was thinking three, not four weeks, so
25 the 11th would be 30 days or a little over.

1 MR. BERLIN: I would think 11 would work.

2 MR. HALL: Yeah.

3 JUDGE CLARK: Okay. Is there any party
4 opposed to doing that? Okay. That's fine. Then I'm
5 going to -- I will request that the parties file a
6 status report or settlement agreement by the 11th of
7 January 2019.

8 That kind of shortcuts the rest of this. So
9 are there any other issues that need to be addressed by
10 the Commission at this time? Staff?

11 MR. BERLIN: None, Judge, thank you.

12 JUDGE CLARK: Companies?

13 MR. FISCHER: Not that I know of.

14 MR. STEINER: I don't -- I don't think so.
15 Might request that the line just be left open so we can
16 just have some more discussions after you -- after you
17 leave the room, Judge, just on this information that
18 we're going to get to the parties.

19 JUDGE CLARK: And I usually leave the line
20 open for a little while. I believe I have the line
21 scheduled open until 10:15 a.m.

22 MR. STEINER: It'll -- it will be short -- a
23 lot shorter than that.

24 JUDGE CLARK: Well, if it's not, like I said,
25 you can go up until 10:15, and then I don't know who's

1 going to co-op the line.

2 MR. STEINER: No, I have something I've got
3 to do before that, so it's not going to take that long
4 from my perspective.

5 JUDGE CLARK: Okay. Anything from the Office
6 of Public Counsel?

7 MR. HALL: No, not at this time. We look
8 forward to discussions with the parties.

9 JUDGE CLARK: Okay. Well, I'm pleased to see
10 that the parties are attempting to work out a
11 resolution. Obviously, if there's -- if you're unable
12 to do so, I have no problems conducting a hearing.

13 Hearing no other matters at this time, I'm
14 going to adjourn this hearing and we will go off the
15 record.

16 (Conference concluded.)
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C E R T I F I C A T E

STATE OF MISSOURI)
) ss
COUNTY OF BOONE)

I, Ashley M. Rouse, Certified Court Reporter for the firm of Tiger Court Reporting, do hereby certify that the above and foregoing is a true and accurate transcription, to the best of my ability, of the procedural conference of the Missouri Public Service Commission held In the Matter of the First Prudence Review of KCP&L Greater Missouri Operations Company's ("GMO") Implementation of Its Cycle 2 Energy Efficiency Programs in Furtherance of Missouri Energy Efficiency Investment ACT ("MEEIA"), and In the Matter of the First Prudence Review of Kansas City Power and Light Company's ("KCPL") Implementation of its Cycle 2 Energy Efficiency Programs in Furtherance of the Missouri Energy Efficiency Investment Act ("MEEIA"), Case File Nos. EO-2018-0364 and EO-2018-0363, on December 6, 2018.

Ashley M. Rouse

Ashley M. Rouse
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1	agreement 8:6 agrees 6:15 ahead 4:14 ambiguity 7:8 anticipate 5:13 6:20 appearance 3:18,21 appearing 4:3,10 attempting 6:1,24 7:11 9:10 attorneys 3:18 6:6 aware 7:2	Company 3:23,24 Company's 3:13 concluded 9:16 conducting 9:12 conference 3:6 9:16 conferences 5:24 contact 3:24 4:5,10 contested 6:23 continue 5:1 counsel 4:8,10 9:6 couple 6:4 court 3:25 4:5,11 current 3:3 Cycle 3:8,13	EO-2018-0363 3:11 EO-2018-0364 3:15 essentially 6:18
2	B	D	F
2 3:8,13 6:16 2018 3:3 2019 8:7	begin 3:17 behalf 4:3,10 Berlin 4:3,4 6:15 7:18, 21 8:1,11 Bob 7:16 Building 3:4	date 3:2 7:19 days 7:13,25 December 3:3 5:20 disallowed 5:11 discretion 5:4 discuss 4:17 discussions 4:22 8:16 9:8 don't 4:15 6:24 7:16, 17,21 8:14,25 due 7:18	file 3:10,15 5:2 8:5 filing 6:18 fine 8:4 Fischer 3:20,22 4:20 5:14 6:11 7:13 8:13 foresee 6:8 forward 9:8 furtherance 3:9,14
3	C	E	G
30 7:13,25 305 3:4 31st 5:20	Caleb 4:9 7:16 captioned 3:6 case 3:6 4:22 5:19 6:21,23 7:5,7 chance 5:16 City 3:7,19,22 4:23 5:21 Clark 3:2,16 4:1,7,13 5:6,18 6:13,16 7:6 8:3, 12,19,24 9:5,9 co-op 9:1 color 5:17 Commission 3:5 4:2, 4,6 5:3,19 8:10 companies 3:8 6:7 8:12	Efficiency 3:9,10,14, 15 efficient 6:12 end 5:14 Energy 3:8,10,13,14 entries 3:18	give 7:9 GMO 5:21 6:9 good 5:16 Governor 3:4 Greater 3:12,23 guess 5:5
4			H
4th 7:22			Hall 4:9 7:20,22 8:2 9:7 happening 5:13 hasn't 6:19 haven't 5:12 hear 4:15 hearing 5:20,21 6:5, 8,9,22 9:12,13,14 Honor 5:7 7:2 hope 4:23
6			
6 3:3			
9			
9:00 3:3			
A			
a.m. 3:3 8:21 Act 3:10,15 activities 5:11 additional 5:10 addressed 8:9 adjourn 9:14			

<hr/> I <hr/>	leave 8:17,19 leaves 6:4 left 8:15 Light 3:8,19,23 5:21 Light's 4:23 litigated 4:24 long 9:3 longer 5:22 looked 5:9 lot 8:23	opportunity 5:1 7:4,9 opposed 8:4 opposition 6:8 order 5:19 originally 5:23 outcome 6:3	<hr/> R <hr/>
implementation 3:8, 13 information 3:24 4:5, 11 5:10 8:17 intervene 6:22 7:4,10 interveners 6:20 Investment 3:10,15 issue 7:8 issues 4:22 8:9 It'll 8:22 it's 4:23 5:3 8:24 9:3 I'd 5:22 I'll 6:21 7:1,5,7,8 I'm 3:16,17 4:14,15 5:25 6:25 8:4 9:9,13 I've 7:23 9:2	<hr/> M <hr/>	<hr/> P <hr/>	reasonable 7:13 recommendation 5:5 record 3:19,20 4:14 9:15 reflect 3:21 regulatory 3:16 report 5:2 6:18 7:12, 18 8:6 reporter 3:25 4:5,12 representing 6:6 request 4:25 5:24 8:5,15 requested 5:20,21 requesting 6:22 required 5:19 requirement 5:22 resolution 6:2,24 9:11 resolve 4:22 resolved 5:16 rest 8:8 resulted 6:17 Review 3:7,12 6:19 Robert 4:4 Roger 3:21 5:8 7:13 room 3:4 8:17
<hr/> J <hr/>	make 3:18 makes 6:23 matter 3:6,11,17 6:2,7 matters 4:18 9:13 MEEIA 3:10 7:3 meeting 5:8 meetings 5:15 mention 4:20 mindful 6:1 missing 4:15 Missouri 3:9,12,14, 23	part 7:3 parties 4:21 5:8,15,25 6:1,23 7:2,9 8:5,18 9:8,10 party 8:3 perspective 7:14 9:4 pleased 9:9 potential 6:5 Power 3:7,19,22 4:23 5:21 preliminary 4:18 pretty 5:12 problems 9:12 procedural 3:5 5:24, 25 proceeding 4:24 products 5:11 Program 3:14 Programs 3:9 provided 3:24 4:11 5:13 Prudence 3:7,12 6:19 public 4:7,10 9:6 put 5:12,25	<hr/> S <hr/>
<hr/> K <hr/>	<hr/> N <hr/>	<hr/> Q <hr/>	schedule 5:25 scheduled 8:21 send 6:21 set 3:5 settlement 8:6
<hr/> L <hr/>	<hr/> O <hr/> office 3:4 4:6,7 9:5 open 8:15,20,21 Operation 3:12,23		
law 3:16			

short 8:22 shortcuts 8:8 shorter 8:23 staff 4:2,4 5:9 6:15,17 8:10 starting 3:19 status 5:2 7:12,18 8:6 staying 6:14 Steiner 3:21 5:7,18 7:1,15 8:14,22 9:2 <hr/> <p style="text-align: center;">T</p> <hr/> talks 5:1 telephone 3:22 that'd 6:11 that's 5:4 6:2,17,19, 25 7:7,23,24 8:4 there's 4:17 5:16,17 7:8 9:11 they're 6:13 things 4:17 5:3 thinking 7:24 thought 7:2 time 3:3,5 4:19 5:22 7:12 8:10 9:7,13 today 4:18 Today's 3:2 <hr/> <p style="text-align: center;">U</p> <hr/> unable 9:11 understand 7:5 usual 6:25 <hr/> <p style="text-align: center;">W</p> <hr/> wait 7:23 wanted 4:17	week 5:14 weeks 7:24 we'd 4:25 5:14,15 we're 3:4 8:18 we've 5:8,11 who's 8:25 witnesses 6:14 won't 4:24 work 6:24 7:11,15,17 8:1 9:10 <hr/> <p style="text-align: center;">Y</p> <hr/> you'll 5:2 you're 7:5 9:11	
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