

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS
Evidentiary Hearing
September 8, 2010
Jefferson City, Missouri
volume 2

In the Matter of the Application)
of Union Electric Company d/b/a)
AmerenUE For An Order Authorizing)
The Sale And Transfer of Certain) Case No. EO-2010-0263
Assets Of AmerenUE To St. James)
Municipal Utilities and Rolla)
Municipal Utilities)

RONALD D. PRIDGIN, Presiding
SENIOR REGULATORY LAW JUDGE

REPORTED BY:
Lisa M. Banks, CCR No. 1081
TIGER COURT REPORTING, LLC

A P P E A R A N C E S

DEAN COOPER, Attorney at Law
Brydon, Swearngen & England
P.O. Box 456
Jefferson City, Missouri 65102
573.635.7166 FOR: City of St. Louis
City of Rolla

JAMES B. LOWRY, Attorney at Law, via telephone
Smith Lewis, LLP
111 S. 9th Street
Columbia, MO 65201
FOR: AmerenUE

NATHAN WILLIAMS, Deputy Staff Counsel
PO Box 360
Jefferson City, Missouri 65101
573.751.4140
FOR: Staff of the Missouri Public Service Commission

LEWIS MILLS, Public Counsel
P.O. Box 2230
Jefferson City, Missouri 65102
FOR: Office of Public Counsel

1 JUDGE PRIDGIN: Good morning. We are on the
2 record. This is the hearing in File No. EO-2010-0263. I
3 am Ron Pridgin. I am the regulatory law judge assigned to
4 preside in this hearing. It's being held on September 8,
5 2010 in the Governor Office Building, Jefferson City,
6 Missouri. The time is about 8:30 a.m.

7 I would like to get entries of appearance
8 from counsel, please, beginning with the Staff of the
9 Commission.

10 MR. WILLIAMS: Nathan Williams, P.O. Box
11 360, Jefferson City, Missouri, 65102, representing the
12 Staff.

13 JUDGE PRIDGIN: Mr. Williams, thank you. On
14 behalf of St. James Municipal Utilities and Rolla Municipal
15 Utilities, please.

16 MR. COOPER: Yes, Your Honor. Dean Cooper
17 from the law firm of Brydon, Swearingen and England, PC,
18 P.O. Box 456, Jefferson City, 65102, appearing on behalf of
19 the City of St. James and the City of Rolla.

20 JUDGE PRIDGIN: Mr. Cooper, thank you. On
21 behalf of Union Electric Company doing business as
22 AmerenUE, please.

23 MR. LOWRY: Thank you, Your Honor. James B.
24 Lowry of the law firm of Smith Lewis, LLP, 111 South Ninth
25 Street, Suite 200, Columbia, Missouri, 65201 on behalf of

1 Union Electric Company.

2 JUDGE PRIDGIN: Mr. Lowry, thank you. On
3 behalf of the Office of the Public Counsel, please.

4 MR. MILLS: On behalf of the Office of
5 Public Counsel and the public my name is Lewis Mills. My
6 address is Post Office Box 2230, Jefferson City, Missouri,
7 65102.

8 JUDGE PRIDGIN: Mr. Mills, thank you. Any
9 further entries?

10 Hearing none, let me inquire of the parties
11 how you would like to proceed in light of a stipulation and
12 agreement that was filed yesterday and a statement of
13 non-opposition filed by the Office of Public Counsel.

14 Is there anything the parties need to bring
15 to my attention other than the stipulation?

16 MR. COOPER: Not to my knowledge, Your
17 Honor. I believe the stipulation and agreement would
18 certainly purport to resolve all issues in this case. And
19 accordingly, we would, I guess appreciate it if the hearing
20 could be continued until the Commission has an opportunity
21 to consider that stipulation and agreement.

22 JUDGE PRIDGIN: Mr. Mills?

23 MR. MILLS: Judge, as you know, I filed a
24 statement not only stating that I don't object to the
25 stipulation and agreement, but also waiving the seven days

1 that would otherwise be allowed under the rules. So I have
2 nothing further to add other than what I said in that.

3 JUDGE PRIDGIN: Mr. Mills, thank you.
4 Mr. Williams?

5 MR. WILLIAMS: Staff has no opposition to
6 that procedure, but I think we want to hear from AmerenUE
7 since that's the applicant in this case.

8 JUDGE PRIDGIN: Certainly. Mr. Lowry?

9 MR. LOWRY: Your Honor, I believe the
10 stipulation and coupled with Mr. Mills' statement of
11 non-objection and waiver of the seven-day period to object
12 effectively disposes of the case, of course, subject to the
13 Commission approving the stipulation. In view of that, a
14 hearing, I don't believe, will be necessary. Perhaps as
15 Mr. Cooper indicated, the proper procedural issue here is
16 to simply continue the hearing pending the Commission's
17 consideration of the stipulation, which if approved would
18 dispose of the case.

19 JUDGE PRIDGIN: All right. And that's
20 certainly fine with me. And if there's nothing further
21 from counsel, my plan would be to present an order
22 approving the stipulation and agreement to the Commission
23 and they may certainly have questions either during agenda
24 or they may want to go on the record. I'm sure the parties
25 are already aware of that. If we're continuing the hearing

1 and the Commission wants, we could have an on-the-record
2 presentation and the Commission could inquire of counsel or
3 witnesses.

4 MR. WILLIAMS: And as the judge may be
5 aware -- this is Nathan Williams for Staff -- there is a
6 provision in the stipulation and agreement expressly
7 stating the parties will make witnesses available.

8 JUDGE PRIDGIN: Yes, sir. Thank you very
9 much. All right. Is there anything further from counsel?

10 All right. Hearing nothing, we will then go
11 off the record and we will continue the hearing until
12 further notice. And that concludes today's hearing in Case
13 No. EO-2010-0263. Thank you very much. We're off the
14 record.

15 (Off the record.)
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CERTIFICATE OF REPORTER

I, Lisa M. Banks, CCR within and for the State of Missouri, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; the testimony of said witness was taken by me to the best of 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 deposition was taken, and further, that I am not a relative employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the of the action.

Lisa M. Banks, CCR

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