

1           BEFORE THE PUBLIC SERVICE COMMISSION

2                   STATE OF MISSOURI

3                               \_\_\_\_\_  
4           TRANSCRIPT OF PROCEEDINGS

5                   Prehearing Conference

6                   January 17, 2012

7                   Jefferson City, Missouri

8                   Volume 1  
9                               \_\_\_\_\_

10  
11       In the Matter of

12       Kansas City Power & Light        )

13       Company's Application For        )

14       Approval Of Demand-Side        ) File No. EO-2012-0008

15       Programs And For Authority       )

16       To Establish A Demand-Side       )

17       Programs Investment Mechanism)

18                               \_\_\_\_\_  
19   RONALD D. PRIDGIN, Presiding

20   SENIOR REGULATORY LAW JUDGE  
21

22                               \_\_\_\_\_  
23       REPORTED BY:

24       NANCY L. SILVA, RPR, CCR

25       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 EO-2012-  
4 0009, and these are the demand-side investment  
5 mechanism applications of both KCP&L Greater  
6 Missouri Operations Company and Kansas City Power  
7 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  
7 the testimony of said witness was taken by me to  
8 the best of my ability and thereafter reduced to  
9 typewriting under my direction; that I am  
10 neither counsel for, related to, nor employed by  
11 any of the parties to the action in which this  
12 hearing was taken, and further, that I am not a  
13 relative or employee of any attorney or counsel  
14 employed by the parties thereto, nor financially  
15 or otherwise interested in the outcome of the  
16 action.

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18 \_\_\_\_\_  
19 Nancy L. Silva, RPR, CCR  
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