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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Prehearing Conference

September 10, 2014  
Jefferson City, Missouri  
Volume 2

In the Matter of KCP&L Greater )  
Missouri Operation Company's )  
Application for Authority to )Case No. EO-2014-0151  
Establish a Renewable Energy )  
Standard Rate Adjustment Mechanism )

JUDGE MICHAEL BUSHMANN, Presiding  
REGULATORY LAW JUDGE

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

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A P P E A R A N C E S

For Staff of the Missouri Public Service Commission:

Ms. Jennifer Hernandez  
Public Service Commission  
and Mr. Robert Berlin  
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Jefferson City, MO 65102  
(573) 751-8706

For Office of Public Counsel:

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Office of Public Counsel  
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For KCP&L Greater Missouri Operations Company:

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1200 Main Street  
Kansas City, MO 64155  
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For Ag Processing:

Mr. Stuart W. Conrad  
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3100 Broadway  
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For Union Electric Company:

Mr. James L. Lowery  
Smith Lewis, LLC  
P.O. Box 918  
111 S. Ninth Street, Suite 200  
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A P P E A R A N C E S (CONTINUED)

Renew Missouri:

Mr. Andrew Linhares

Attorney at Law

910 E. Broadway, Suite 205

Columbia, MO 65201

(314) 471-9973

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

2 JUDGE BUSHMANN: Let's go on the record.  
3 Today is September 10th, 2014 at 2:30 p.m. The  
4 Commission has set this time for a procedural  
5 conference in the case captioned as In the Matter  
6 of KCP&L Greater Missouri Operations Company's  
7 Application for Authority to Establish a Renewable  
8 Energy Standard Rate Adjustment Mechanism, File No.  
9 EO-2014-0151.

10 I am Michael Bushmann, the Regulatory Law  
11 Judge assigned to this matter. Let's have Counsel  
12 make their own entries of appearance. For KCP&L  
13 Greater Missouri Operations?

14 MR. HACK: Robert Hack, Greater -- Kansas  
15 City Power & Light Greater Missouri Operations,  
16 1200 Main, KCMO.

17 JUDGE BUSHMANN: Thank you. Office of  
18 Public Counsel?

19 MR. OPITZ: For the Office of Public  
20 Counsel, Tim Opitz, P.O. box 2230, Jefferson City,  
21 Missouri, 65102.

22 JUDGE BUSHMANN: And Commission Staff?

23 MS. HERNANDEZ: Jennifer Hernandez and Bob  
24 Berlin on behalf of the Staff of the Missouri  
25 Public Service Commission. Our address is P.O. Box

1 360, Jefferson City, Missouri, 65102.

2 And just for notice to the parties, I will  
3 be resigning effective October 1st, so from here on  
4 out, you probably want to send communications to  
5 Mr. Berlin so that they don't get lost or delayed  
6 in response time.

7 JUDGE BUSHMANN: Okay. Thank you. For Ag  
8 Processing, Incorporated?

9 MR. CONRAD: Stuart W. Conrad, Law Firm of  
10 Finnegan, Conrad and Peterson, 20 -- Suite 1209,  
11 3100 Broadway, Kansas City, Missouri, 64111.

12 JUDGE BUSHMANN: Thank you, Mr. Conrad.  
13 Renew Missouri?

14 MR. LINHARES: Andrew Linares, appearing  
15 on behalf of Renew Missouri. Address is 910 East  
16 Broadway, Columbia, Missouri, 65201.

17 JUDGE BUSHMANN: Thank you. Ameren  
18 Missouri?

19 MR. LOWERY: James Lowery, Smith Lewis,  
20 LLP, P.O. Box 918, Columbia, Missouri, 65205,  
21 appearing on behalf of Union Electric Company.

22 JUDGE BUSHMANN: All right. Thank you.  
23 Is there any other -- any other attorneys I haven't  
24 called or parties I haven't called?

25 Okay. Well, as we talked about at the

1 procedural conference back in May, I want to talk a  
2 little bit about procedures -- let's just wait a  
3 second. Did someone just come on the line? I  
4 guess not.

5 ANGELA: This is Angela with Missouri  
6 Primary Care.

7 JUDGE BUSHMANN: Were you hear for a  
8 prehearing conference in the Public Service  
9 Commission?

10 ANGELA: No. It's supposed to be a MO  
11 HealthNet call.

12 JUDGE BUSHMANN: I think you may have the  
13 wrong number.

14 ANGELA: Okay.

15 JUDGE BUSHMANN: Okay. Procedurals. We  
16 talked about this a little back in May when we had  
17 our last conference. We're following primarily the  
18 procedures under subsection C of the rule. That's  
19 20.100(6).

20 And since it appears that a hearing may be  
21 necessary, the rule requires that the Commission  
22 hold a hearing and issue an order no less than 30  
23 days from the date of the company's reply to the  
24 report and the comments.

25 And that means that the Commission has to

1 wait at least 30 days before issuing an order.

2 That's my reading anyway and that there -- there is  
3 no outside time limit of the rule.

4 So I think that we have all the time that  
5 might be required if we're going to have to hold a  
6 hearing. And that is one thing that I'd like you  
7 all to talk about a little bit when you have your  
8 discussion later about whether an evidentiary  
9 hearing is even appropriate in this case.

10 And the reason I say that is because from  
11 reading the pleadings, it appears that most of the  
12 disputed issues involve legal or policy issues, so  
13 I'd like you to consider whether there is any  
14 actual material facts in dispute that would require  
15 an evidentiary hearing or, if not, can we then  
16 instead have oral arguments and briefs?

17 So that would be something that you all  
18 will know the case better than me at this point,  
19 and you'll know whether or not that we're going to  
20 need to have an evidentiary hearing.

21 So I would like the parties -- I guess  
22 Staff on behalf of the parties to file a joint  
23 proposed procedural schedule no later than  
24 Wednesday, September 17th.

25 And if you decide that there are facts in

1 dispute that can't be resolved through stipulation,  
2 then that proposed procedural schedule should  
3 include dates for discovery deadlines, pre-filed  
4 testimony, a joint stipulation of non-contested  
5 material facts, lists of issues and witnesses,  
6 proposed dates for the hearing and for post-hearing  
7 briefs.

8 Now, if there are no material facts in  
9 dispute that can't be resolved through stipulation,  
10 then all you would need to provide would be dates  
11 for proposed dates for oral arguments and a  
12 briefing schedule. And the Commission will make  
13 the final determination on the schedule.

14 That's all I have. Do any parties have  
15 any other matters that need to be brought up on the  
16 record at this point?

17 MR. HACK: Not GMO.

18 MR. OPITZ: Judge, I would just like to  
19 point out the 17th is FRI, and I don't know if  
20 Staff has -- will be going to that. But  
21 that's --

22 JUDGE BUSHMANN: Would you -- for  
23 convenience, would the Staff prefer to go before or  
24 after that date? Does it make any difference?

25 MR. BERLIN: Perhaps if we can go after



1 that date.

2 JUDGE BUSHMANN: Say, the 18th?

3 MR. BERLIN: Sure.

4 JUDGE BUSHMANN: Well, why don't we change  
5 that, and we'll have the joint procedural schedule  
6 filed no later than September 18th. Thanks for  
7 reminding me.

8 Anything else? In that case, we'll go off  
9 the record. And I'll leave you to talk about it.  
10 I'm going to leave, also, a copy of the  
11 adjudication calendar for the next few months in  
12 case you have any questions about dates when you're  
13 talking, and the phone bridge will be open until  
14 4:30.

15 MR. BERLIN: Very good.

16 MR. OPITZ: Thank you, Judge.

17 JUDGE BUSHMANN: Thank you.

18 (The proceedings were concluded at 2:38 p.m. on  
19 September 10, 2014.)

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REPORTER'S CERTIFICATE

STATE OF MISSOURI )

) ss.

COUNTY OF OSAGE)

I, Monnie S. Mealy, Certified Shorthand Reporter,  
Certified Court Reporter #0538, and Registered Professional  
Reporter, within and for the State of Missouri, do hereby  
certify that I was personally present at the proceedings as  
set forth in the caption sheet hereof; that I then and there  
took down in stenotype the proceedings had at said time and  
was thereafter transcribed by me, and is fully and accurately  
set forth in the preceding pages.

IN WITNESS WHEREOF, I have hereunto set my hand and  
seal on \_\_\_\_\_, 2014.

\_\_\_\_\_  
Monnie S. Mealy, CSR, CCR #0538  
Registered Professional Reporter

<p style="text-align: center;"><b>A</b></p> <p><b>accurately</b> 30:12  <b>actual</b> 27:14  <b>address</b> 24:25  25:15  <b>adjudication</b>  29:11  <b>Adjustment</b>  21:12 24:8  <b>Ag</b> 22:17 25:7  <b>Ameren</b> 25:17  <b>Andrew</b> 23:4  25:14  <b>Angela</b> 26:5,5,10  26:14  <b>anyway</b> 27:2  <b>appearance</b>  24:12  <b>appearing</b> 25:14  25:21  <b>appears</b> 26:20  27:11  <b>Application</b>  21:11 24:7  <b>appropriate</b> 27:9  <b>arguments</b> 27:16  28:11  <b>assigned</b> 24:11  <b>Attorney</b> 22:14  23:4  <b>attorneys</b> 25:23  <b>Authority</b> 21:11  24:7</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>back</b> 26:1,16  <b>behalf</b> 24:24  25:15,21 27:22  <b>Berlin</b> 22:4 24:24  25:5 28:25 29:3  29:15  <b>better</b> 27:18  <b>bit</b> 26:2 27:7  <b>Bob</b> 24:23  <b>Boulevard</b> 21:22  <b>Box</b> 22:4,10,24  24:25 25:20</p>	<p><b>bridge</b> 29:13  <b>briefing</b> 28:12  <b>briefs</b> 27:16 28:7  <b>Broadway</b> 22:19  23:5 25:11,16  <b>brought</b> 28:15  <b>Bushmann</b> 21:15  24:2,10,17,22  25:7,12,17,22  26:7,12,15  28:22 29:2,4,17</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p><b>C</b> 22:1 23:1 24:1  26:18  <b>calendar</b> 29:11  <b>call</b> 26:11  <b>called</b> 25:24,24  <b>caption</b> 30:10  <b>captioned</b> 24:5  <b>Care</b> 26:6  <b>case</b> 21:11 24:5  27:9,18 29:8,12  <b>CCR</b> 21:21 30:20  <b>CERTIFICATE</b>  30:1  <b>Certified</b> 30:6,7  <b>certify</b> 30:9  <b>change</b> 29:4  <b>City</b> 21:7,22 22:5  22:10,15,20  24:15,20 25:1  25:11  <b>Columbia</b> 22:25  23:5 25:16,20  <b>come</b> 26:3  <b>comments</b> 26:24  <b>Commission</b>  21:1 22:2,3  24:4,22,25 26:9  26:21,25 28:12  <b>communications</b>  25:4  <b>Company</b> 22:12  22:22 25:21  <b>company's</b> 21:10  24:6 26:23</p>	<p><b>concluded</b> 29:18  <b>conference</b> 21:5  24:5 26:1,8,17  <b>Conrad</b> 22:18,18  25:9,9,10,12  <b>consider</b> 27:13  <b>CONTINUED</b>  23:1  <b>convenience</b>  28:23  <b>copy</b> 29:10  <b>Counsel</b> 22:7,9  24:11,18,20  <b>COUNTY</b> 30:4  <b>Court</b> 30:7  <b>CSR</b> 21:21 30:20</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>D</b> 24:1  <b>date</b> 26:23 28:24  29:1  <b>dates</b> 28:3,6,10  28:11 29:12  <b>days</b> 26:23 27:1  <b>deadlines</b> 28:3  <b>decide</b> 27:25  <b>delayed</b> 25:5  <b>determination</b>  28:13  <b>difference</b> 28:24  <b>discovery</b> 28:3  <b>discussion</b> 27:8  <b>dispute</b> 27:14  28:1,9  <b>disputed</b> 27:12</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>E</b> 22:1,1 23:1,1,5  24:1,1  <b>East</b> 25:15  <b>effective</b> 25:3  <b>Electric</b> 22:22  25:21  <b>Energy</b> 21:11  24:8  <b>entries</b> 24:12  <b>EO-2014-0151</b></p>	<p>21:11 24:9  <b>Establish</b> 21:11  24:7  <b>evidentiary</b> 27:8  27:15,20</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>facts</b> 27:14,25  28:5,8  <b>file</b> 24:8 27:22  <b>filed</b> 29:6  <b>final</b> 28:13  <b>Finnegan</b> 22:18  25:10  <b>Firm</b> 25:9  <b>following</b> 26:17  <b>forth</b> 30:10,13  <b>FRI</b> 28:19  <b>fully</b> 30:12</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p><b>G</b> 24:1  <b>GMO</b> 28:17  <b>go</b> 24:2 28:23,25  29:8  <b>going</b> 27:5,19  28:20 29:10  <b>good</b> 29:15  <b>Greater</b> 21:10  22:12 24:6,13  24:14,15  <b>guess</b> 26:4 27:21</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p><b>Hack</b> 22:13  24:14,14 28:17  <b>hand</b> 30:15  <b>HealthNet</b> 26:11  <b>hear</b> 26:7  <b>hearing</b> 26:20,22  27:6,9,15,20  28:6  <b>hereof</b> 30:10  <b>hereunto</b> 30:15  <b>Hernandez</b> 22:3  24:23,23  <b>hold</b> 26:22 27:5</p>	<p style="text-align: center;"><b>I</b></p> <p><b>include</b> 28:3  <b>Incorporated</b>  25:8  <b>involve</b> 27:12  <b>issue</b> 26:22  <b>issues</b> 27:12,12  28:5  <b>issuing</b> 27:1</p> <hr/> <p style="text-align: center;"><b>J</b></p> <p><b>J</b> 22:13  <b>James</b> 22:23  25:19  <b>Jefferson</b> 21:7,22  22:5,10 24:20  25:1  <b>Jennifer</b> 22:3  24:23  <b>joint</b> 27:22 28:4  29:5  <b>Judge</b> 21:15,16  24:2,11,17,22  25:7,12,17,22  26:7,12,15  28:18,22 29:2,4  29:16,17</p> <hr/> <p style="text-align: center;"><b>K</b></p> <p><b>Kansas</b> 22:15,20  24:14 25:11  <b>KCMO</b> 24:16  <b>KCP&amp;L</b> 21:10  22:12 24:6,12  <b>know</b> 27:18,19  28:19</p> <hr/> <p style="text-align: center;"><b>L</b></p> <p><b>L</b> 22:23  <b>Law</b> 21:16 22:14  23:4 24:10 25:9  <b>leave</b> 29:9,10  <b>legal</b> 27:12  <b>let's</b> 24:2,11 26:2  <b>Lewis</b> 22:23  25:19  <b>Light</b> 24:15</p>
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PREHEARING CONFERENCE 9/10/2014

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