

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
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6 TRANSCRIPT OF PROCEEDINGS
7 Prehearing Conference
8 March 6, 2007
9 Jefferson City, Missouri
Volume 1

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12 In the Matter of the Resource)
Plan of Aquila, Inc. d/b/a Aquila)
13 Networks-MPS and Aquila) Case No. EO-2007-0298
Networks-L&P pursuant to)
14 4 CSR 240-22)

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RONALD D. PRIDGIN, Presiding,
17 REGULATORY LAW JUDGE.

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22 REPORTED BY:

23 KELLENE K. FEDDERSEN, CSR, RPR, CCR
MIDWEST LITIGATION SERVICES

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6 FOR: Staff of the Missouri Public
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1 P R O C E E D I N G S

2 JUDGE PRIDGIN: Good morning. We're on the
3 record. This is the prehearing conference in Case
4 No. EO-2007-0298, in the matter of the resource plan of
5 Aquila, Incorporated, d/b/a Aquila Networks-MPS and Aquila
6 Networks-L&P pursuant to 4 CSR 240-22.

7 I am Ron Pridgin. I'm the Regulatory Law
8 Judge assigned to preside over this prehearing conference.
9 It's being held at 10 a.m., March 6, 2007. We're in the
10 Governor Office Building here in Jefferson City, Missouri.

11 I will ask for entries of appearance from
12 counsel in just a moment. I understand I have some
13 pending applications to intervene. I simply have not
14 ruled on them because they are still coming in, and I
15 would like for entries of appearance to be made with the
16 assumption that these parties will be let in. If we get
17 any objections to their request to intervene, obviously
18 we'll deal with those later.

19 So if I could get entry of appearance from
20 the General Counsel's Office first, please.

21 MR. DOTTHEIM: Steven Dottheim, Post Office
22 Box 360, Jefferson City, Missouri 65102, appearing on
23 behalf of the Staff of the Missouri Public Service
24 Commission. Also Nathan Williams.

25 JUDGE PRIDGIN: Mr. Dottheim, thank you.

1 Anyone present on behalf of the Office of the Public
2 Counsel?

3 MR. KIND: I'm present, but I'm here
4 without an attorney today. My name is Ryan Kind. I
5 believe that our attorney, the Public Counsel, Lewis
6 Mills, is currently over at the Capitol at budget
7 hearings.

8 JUDGE PRIDGIN: Mr. Kind, thank you very
9 much. And I did receive a phone call from Mr. Woodsmall,
10 whom I believe represents Sedalia Industrial Energy Users
11 Association. He informed me he would not be present but
12 would contact the parties regarding a proposed procedural
13 schedule later.

14 Anyone entering appearance on Kansas City
15 Power & Light?

16 MR. FISCHER: Yes, your Honor. James M.
17 Fischer, Fischer & Dority, PC, 101 Madison Street,
18 Suite 400, Jefferson City, Missouri 65101.

19 JUDGE PRIDGIN: Mr. Fischer, thank you. On
20 behalf of the Missouri Department of Natural Resources,
21 please?

22 MS. WOODS: Yes, your Honor. Shelley
23 Woods, Assistant Attorney General, appearing on behalf of
24 the Missouri Department of Natural Resources, Post Office
25 Box 899, Jefferson City, Missouri 65102.

1 JUDGE PRIDGIN: Ms. Woods, thank you. On
2 behalf of the City of St. Joseph, Missouri, please?

3 MR. STEINMEIER: Thank you, your Honor.
4 Please let the record reflect the appearance of William D.
5 Steinmeier and Mary Ann (Garr) Young, William D.
6 Steinmeier, PC, on behalf of the City of St. Joseph,
7 Missouri.

8 JUDGE PRIDGIN: Mr. Steinmeier, thank you.
9 On behalf of Dogwood Energy, LLC, please?

10 MR. DeFORD: Thank you, your Honor.
11 Paul S. DeFord with the law firm of Lathrop & Gage,
12 2345 Grand Boulevard, Kansas City, Missouri 64108,
13 appearing on behalf of Dogwood Energy, LLC.

14 JUDGE PRIDGIN: Mr. DeFord, thank you. Any
15 other counsel wishing to make an entry of appearance?

16 MR. MITTEN: Your Honor, on behalf of
17 Aquila, Inc. and its affiliates, I'm Russ Mitten, Brydon,
18 Swearengen & England, 312 East Capitol Avenue,
19 Jefferson City, Missouri 65102.

20 JUDGE PRIDGIN: Mr. Mitten, thank you. I
21 guess I was hurriedly going down the docket sheet and
22 neglected to call on Aquila. I apologize. Any other
23 counsel?

24 (No response.)

25 JUDGE PRIDGIN: All right. I believe you

1 have a prehearing -- or excuse me -- a proposed procedural
2 schedule that is due to be filed -- well, let me double
3 check my Order. Perhaps I did not. Well, it looks like
4 in my Order, unless I'm misreading it, I did not direct a
5 proposed procedural schedule. Traditionally I would order
6 those to be done within a week of the prehearing
7 conference. Is there anyone who anticipates that being a
8 problem if I were to order that?

9 MR. DOTTHEIM: I seem to recall that the
10 rule provides for the Staff to submit a report within 120
11 days, and other parties are permitted also to submit a
12 report within 120 days.

13 JUDGE PRIDGIN: And perhaps that's why my
14 order reads as it does. I was reading over the rule back
15 when I had my wits about me rather than just hurriedly
16 grabbing a file and that I didn't set a proposed -- a date
17 for a proposed procedural schedule. I do recall that 120
18 day timeline.

19 Is there anything else -- other than I know
20 I have these pending requests to intervene, is there
21 anything else counsel needs to bring to my attention
22 before I let you confer?

23 (No response.)

24 JUDGE PRIDGIN: Okay. If there's nothing,
25 normally I would have this room reserved for you until

1 five o'clock, but I have another prehearing this afternoon
2 at two o'clock, I believe. So I'm hoping that gives you
3 enough time to meet, or if not, perhaps you can go
4 elsewhere, and you might actually be able to get back into
5 this room later in the afternoon. You've at least got it
6 for a few hours.

7 MR. DOTTHEIM: Is your office open over the
8 noon hour?

9 JUDGE PRIDGIN: Yes, absolutely.

10 MR. DOTTHEIM: Just teasing.

11 JUDGE PRIDGIN: 24/7 for you, Mr. Dottheim.

12 MR. MITTEN: Is that because he's here
13 24/7?

14 JUDGE PRIDGIN: That's it. Is there
15 anything else from counsel before we adjourn?

16 (No response.)

17 JUDGE PRIDGIN: All right. Hearing
18 nothing, we will adjourn the prehearing conference in Case
19 No. EO-2007-0298. Thank you very much. We are off the
20 record.

21 WHEREUPON, the recorded portion of the
22 prehearing conference was concluded.

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1 C E R T I F I C A T E

2 STATE OF MISSOURI)
3 COUNTY OF COLE) ss.

4 I, Kellene K. Feddersen, Certified
5 Shorthand Reporter with the firm of Midwest Litigation
6 Services, and Notary Public within and for the State of
7 Missouri, do hereby certify that I was personally present
8 at the proceedings had in the above-entitled cause at the
9 time and place set forth in the caption sheet thereof;
10 that I then and there took down in Stenotype the
11 proceedings had; and that the foregoing is a full, true
12 and correct transcript of such Stenotype notes so made at
13 such time and place.

14 Given at my office in the City of
15 Jefferson, County of Cole, State of Missouri.

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17 Kellene K. Feddersen, RPR, CSR, CCR
18 Notary Public (County of Cole)
My commission expires March 28, 2009.

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