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BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

PROCEDURAL CONFERENCE

In the Matter of the Joint)
Application of Confluence)
Rivers Utility Operating)
Company, Inc., and Missouri-) File No. SM-2025-0067
American Water Company for)
Authority for Confluence)
Rivers Utility Operating)
Company, Inc., to Acquire)
Certain Sewer Assets of)
Missouri-American Water)
Company in Callaway and)
Morgan Counties, Missouri)

FRIDAY, FEBRUARY 21, 2025
10:30 a.m.

Jefferson City, MO
via WebEx

VOLUME 1

CHARLES HATCHER, Presiding
SENIOR REGULATORY
LAW JUDGE

TRANSCRIBED BY: MELISSA EICKEN

1 LAW JUDGE HATCHER: Okay. Let's go on the
2 record. Just as a quick announcement, we do not have
3 a court reporter. But this conference is being
4 recorded for possible transcription later. That will
5 be at the request of any party.

6 Today is February 21st, 2025. The
7 Commission has set this time for a prehearing
8 conference for file number SM-2025-0067. This is the
9 case of the 19 small sewer systems being sold from
10 Missouri-American to Confluence Rivers.

11 This conference is being held via Webex.
12 Again, my name is Charles Hatcher, and I am the RLJ
13 assigned to this case.

14 Let's go ahead and have counsel make their
15 entries of appearance. For Confluence and
16 Missouri-American, go ahead Mr. Cooper.

17 MR. COOPER: Thank you, Your Honor. Dean
18 Cooper appearing on behalf of Missouri-American and
19 Confluence Rivers Utility Operating Company, Inc., in
20 this matter. Thank you.

21 LAW JUDGE HATCHER: Thank you. And for
22 staff.

23 MS. HANSEN: Andrea Hansen appearing on
24 behalf of staff counsel's office. We also have Mark
25 Johnson on the call, and then we also have a few

1 members of staff on the call. We have Curt Gately
2 (phonetic) and then Jared Robertson, and I think there
3 are a couple of staff members who are in -- in the
4 call as well off camera.

5 LAW JUDGE HATCHER: Excellent. Thank you.
6 And for the Office of the Public Counsel.

7 MS. VANGERPEN: Good morning. Lindsay
8 VanGerpen on behalf of the Office of the Public
9 Counsel.

10 LAW JUDGE HATCHER: Thank you. This
11 prehearing conference is convened for the purpose of
12 discussing the next steps in this case. And also, to
13 give the parties the opportunity to begin settlement
14 discussions. I am going to ask that the parties come
15 up with a proposed procedural schedule. I'm going to
16 ask counsel for staff to file that schedule, and just
17 as a reminder, the proposed procedural schedules for
18 the Commission typically include dates for certain
19 case events including -- sorry, I got distracted.
20 Including testimony, briefing, and the evidentiary
21 hearing, of course.

22 Just a reminder for the specifics on the
23 procedural schedule, the Commission prefers getting
24 the lists, that means the list of witnesses, the list
25 of issues, and the position statements at least

1 one week in advance of the hearing. And to explain
2 this is because I put those lists together in a table
3 for the commissioners and distribute that to the
4 commissioners so that they have your position
5 statements and list of issues and witnesses handy for
6 the actual hearing. Because of how the Commission
7 works, they only have agenda meetings once a week.
8 Those are typically held on Wednesdays, and that is
9 the reason that I ask for those things to be submitted
10 at least a week in advance.

11 **A quick note on position statements. As I**
12 **referenced, I am putting together a memo for the**
13 **commissioners to include your position statements. If**
14 **your position statement is one to two paragraphs, I**
15 **generally don't edit it. If it's longer than that,**
16 **then I do need to edit it for the length of the**
17 **statement, not necessarily for substance. Just a**
18 **head's up on that.**

19 **The schedule -- proposed procedural**
20 **schedule should include at least one more settlement**
21 **conference, not counting today's discussion. And also**
22 **make sure and account for a 10-day -- that's 10**
23 **business days for transcript turn around. That's**
24 **going to be important for our briefings. After the**
25 **evidentiary hearing, if the parties would like a**

1 faster turn around on the transcript, we can expedite
2 those. However, there is a cost to the Commission for
3 that expedite request. So if the parties would like
4 that to be expedited, please, put that in writing and
5 please submit a -- a reason that I can use in an order
6 as to why that needs to be expedited.

7 Okay. Longwinded introduction. Let's pick
8 a date for when the procedural schedule -- the
9 proposed procedural schedule should be submitted.
10 Just looking at my calendar, I was going to suggest
11 March 13th. That gives the parties about three weeks
12 to discuss a -- come up with a proposed procedural
13 schedule. However, I am very aware that
14 Missouri-American is having their general rate case
15 going on upcoming. So I just want to throw that date
16 out and see if anybody has any feedback or suggestions
17 of a different due date. March 13th is what I'm
18 looking at. And that's for the procedural schedule.
19 Mr. Cooper.

20 MR. COOPER: Yeah, Judge. I don't think it
21 needs to be any further than that. I sure would like
22 to think we can put it together faster than that.
23 You're right. I -- the -- the pending hearing is
24 going to -- going to be a bit of an obstacle for us,
25 but I'm more concerned about making direct testimony

1 work around that than -- than the filing of the
2 schedule itself.

3 LAW JUDGE HATCHER: To try and solve that,
4 I am happy to take a -- an initial motion setting a
5 date for direct testimony, and then I can order that
6 to go into effect pending the submission of the rest
7 of the schedule, if that would solve things or help
8 things out, if anyone has a suggestion on an
9 alternative date other than March 13th.

10 MR. COOPER: I'm okay if you leave it that
11 way, Judge, but go ahead, Lindsay.

12 MS. VANGERPEN: I'm sorry to cut you off,
13 Dean.

14 Judge, I just wanted to clarify. So
15 when -- now, would the March 13th be the date for
16 filing direct testimony in lieu of the procedural
17 schedule?

18 LAW JUDGE HATCHER: No. The 13th was my
19 initial date to submit the proposed procedural
20 schedule. The date for direct testimony, I am going
21 to let you all discuss that in private without me. So
22 that you if -- if it works out, everyone has a
23 procedural schedule, and you want to file it -- well,
24 not tomorrow, but Monday, then that's awesome.

25 MR. COOPER: Yeah.

1 LAW JUDGE HATCHER: If you determine that
2 you want to bifurcate the procedural schedule,
3 probably the best way to accomplish that is one filing
4 that says, hey, the parties have agreed to this filing
5 date for direct testimony, period. I will then order
6 that date. And then we will wait for the rest of the
7 procedural schedule to flush itself out and be filed
8 by staff. I'm just offering that as an option. I
9 don't necessarily want to pick a date for direct
10 testimony because I -- I really don't have a dog in
11 that fight.

12 Okay. Without any further -- anyone --
13 anyone else have a comment on the proposed procedural
14 schedule being due by March 13th? Staff, this is
15 going to be your -- mainly your obligation. Are you
16 going to be okay with that? You're muted.

17 MS. HANSEN: So I -- speaking to the issue
18 of bifurcating the procedural schedule, I -- I would
19 prefer not to. I think that we could -- we could get
20 it turned around within two weeks, so I'm not -- not
21 opposed to doing it earlier than March 13th, but I
22 would say one week earlier would be the most that we
23 could do.

24 LAW JUDGE HATCHER: Okay. March 7th. Any
25 objections to March 7th for the due date for the

1 procedural schedule?

2 MR. COOPER: No, Judge.

3 LAW JUDGE HATCHER: Excellent. So ordered.

4 I will put that in writing, hopefully, later today
5 that we've set March 7th as the due date for the
6 parties, for staff to submit what I hope is a joint
7 filing for a procedural schedule, and I just want to,
8 again, reiterate the option if the parties would like
9 to decide on when direct testimony is going to be
10 submitted, and they want to set that date early --
11 earlier than March 7th, submit the date earlier than
12 March 7th, then that would be great. I can work with
13 that as well.

14 MS. HANSEN: Okay.

15 LAW JUDGE HATCHER: Okay. I believe my
16 part is just about done. Did anyone have any
17 procedural matters at this point to discuss?

18 MS. HANSEN: I do not.

19 LAW JUDGE HATCHER: Any questions for me?
20 Okay. Then just to wrap up, I am going to stop the
21 recording. I am going to leave the meeting. However,
22 the meeting -- the Webex will continue, and the
23 purpose of -- for its continuation is to allow the
24 parties to discuss not only the schedule but any
25 settlement or issues that might come up that would not

1 be appropriate to discuss with me in the room. My
2 clerk or clerks -- I'm not sure if they're both
3 here -- will continue to monitor the meeting, but they
4 are looking visually. They're not going to be
5 listening into your conversations. They are simply
6 watching to see when everyone leaves, so they can
7 close down the entire Webex.

8 With that said, before I adjourn my portion
9 of the conference and leave the meeting, one last
10 opportunity, any questions for me? Okay. Excellent.
11 I wish you all the best of luck. And I'll get that
12 order out saying that the due date --

13 (Audio ended.)

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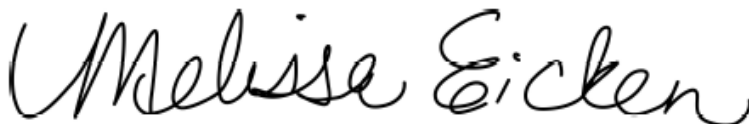
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1 CERTIFICATE OF REPORTER

2
3 I, Melissa J. Eicken, Certified Court
4 Reporter of Missouri, Certified Shorthand Reporter of
5 Illinois and Registered Professional Reporter, do
6 hereby certify that I was asked to prepare a
7 transcript of proceedings had in the above-mentioned
8 case, which proceedings were held with no court
9 reporter present utilizing an open microphone system
10 of preserving the record.

11 I further certify that the foregoing pages
12 constitute a true and accurate reproduction of the
13 proceedings as transcribed by me to the best of my
14 ability and may include inaudible sections or
15 misidentified speakers of said open microphone
16 recording.

17 

18
19 Melissa J. Eicken, CCR, CSR, RPR
20
21
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24 Date:
25

<hr/> <p>1</p> <hr/> <p>10 4:22 10-day 4:22 13th 5:11,17 6:9, 15,18 7:14,21 19 2:9</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2025 2:6 21st 2:6</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p>7th 7:24,25 8:5,11, 12</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p>accomplish 7:3 account 4:22 actual 4:6 adjourn 9:8 advance 4:1,10 agenda 4:7 agreed 7:4 ahead 2:14,16 6:11 alternative 6:9 Andrea 2:23 announcement 2:2 appearance 2:15 appearing 2:18,23 assigned 2:13 audio 9:13</p>	<p>aware 5:13 awesome 6:24</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>begin 3:13 behalf 2:18,24 3:8 bifurcate 7:2 bifurcating 7:18 bit 5:24 briefing 3:20 briefings 4:24 business 4:23</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>calendar 5:10 call 2:25 3:1,4 camera 3:4 case 2:9,13 3:12, 19 5:14 Charles 2:12 clarify 6:14 clerk 9:2 clerks 9:2 close 9:7 comment 7:13 Commission 2:7 3:18,23 4:6 5:2 commissioners 4:3,4,13 Company 2:19 concerned 5:25 conference 2:3,8, 11 3:11 4:21 9:9 Confluence 2:10, 15,19</p>	<p>continuation 8:23 continue 8:22 9:3 convened 3:11 conversations 9:5 Cooper 2:16,17,18 5:19,20 6:10,25 8:2 cost 5:2 counsel 2:14 3:6, 9,16 counsel's 2:24 counting 4:21 couple 3:3 court 2:3 Curt 3:1 cut 6:12</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>date 5:8,15,17 6:5, 9,15,19,20 7:5,6, 9,25 8:5,10,11 9:12 dates 3:18 days 4:23 Dean 2:17 6:13 decide 8:9 determine 7:1 direct 5:25 6:5,16, 20 7:5,9 8:9 discuss 5:12 6:21 8:17,24 9:1 discussing 3:12 discussion 4:21 discussions 3:14 distracted 3:19 distribute 4:3</p>	<p>dog 7:10 due 5:17 7:14,25 8:5 9:12</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>earlier 7:21,22 8:11 early 8:10 edit 4:15,16 effect 6:6 ended 9:13 entire 9:7 entries 2:15 events 3:19 evidentiary 3:20 4:25 Excellent 3:5 8:3 9:10 expedite 5:1,3 expedited 5:4,6 explain 4:1</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>faster 5:1,22 February 2:6 feedback 5:16 fight 7:11 file 2:8 3:16 6:23 filed 7:7 filing 6:1,16 7:3,4 8:7 flush 7:7</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>Gately 3:1</p>
--	--	---	--

general 5:14	Johnson 2:25	meetings 4:7	part 8:16
generally 4:15	joint 8:6	members 3:1,3	parties 3:13,14 4:25 5:3,11 7:4 8:6,8,24
give 3:13	Judge 2:1,21 3:5, 10 5:20 6:3,11,14, 18 7:1,24 8:2,3, 15,19	memo 4:12	party 2:5
Good 3:7		Missouri-american 2:10,16,18 5:14	pending 5:23 6:6
great 8:12		Monday 6:24	period 7:5
<hr/> H <hr/>	<hr/> L <hr/>	monitor 9:3	phonetic 3:2
handy 4:5	LAW 2:1,21 3:5,10 6:3,18 7:1,24 8:3, 15,19	morning 3:7	pick 5:7 7:9
Hansen 2:23 7:17 8:14,18	leave 6:10 8:21 9:9	motion 6:4	point 8:17
happy 6:4	leaves 9:6	muted 7:16	portion 9:8
Hatcher 2:1,12,21 3:5,10 6:3,18 7:1, 24 8:3,15,19	length 4:16	<hr/> N <hr/>	position 3:25 4:4, 11,13,14
head's 4:18	lieu 6:16	necessarily 4:17 7:9	prefer 7:19
hearing 3:21 4:1, 6,25 5:23	Lindsay 3:7 6:11	note 4:11	prefers 3:23
held 2:11 4:8	list 3:24 4:5	number 2:8	prehearing 2:7 3:11
hey 7:4	listening 9:5	<hr/> O <hr/>	private 6:21
Honor 2:17	lists 3:24 4:2	objections 7:25	procedural 3:15, 17,23 4:19 5:8,9, 12,18 6:16,19,23 7:2,7,13,18 8:1,7, 17
hope 8:6	longer 4:15	obligation 7:15	proposed 3:15,17 4:19 5:9,12 6:19 7:13
<hr/> I <hr/>	Longwinded 5:7	obstacle 5:24	Public 3:6,8
important 4:24	luck 9:11	offering 7:8	purpose 3:11 8:23
include 3:18 4:13, 20	<hr/> M <hr/>	office 2:24 3:6,8	put 4:2 5:4,22 8:4
including 3:19,20	make 2:14 4:22	Operating 2:19	putting 4:12
initial 6:4,19	making 5:25	opportunity 3:13 9:10	<hr/> Q <hr/>
introduction 5:7	March 5:11,17 6:9, 15 7:14,21,24,25 8:5,11,12	opposed 7:21	questions 8:19 9:10
issue 7:17	Mark 2:24	option 7:8 8:8	quick 2:2 4:11
issues 3:25 4:5 8:25	Matter 2:20	order 5:5 6:5 7:5 9:12	
<hr/> J <hr/>	matter 2:20	ordered 8:3	
Jared 3:2	matters 8:17	<hr/> P <hr/>	
	means 3:24	paragraphs 4:14	
	meeting 8:21,22 9:3,9		

<hr/> <p>R</p> <hr/> <p>rate 5:14 reason 4:9 5:5 record 2:2 recorded 2:4 recording 8:21 referenced 4:12 reiterate 8:8 reminder 3:17,22 reporter 2:3 request 2:5 5:3 rest 6:6 7:6 Rivers 2:10,19 RLJ 2:12 Robertson 3:2 room 9:1</p> <hr/> <p>S</p> <hr/> <p>schedule 3:15,16, 23 4:19,20 5:8,9, 13,18 6:2,7,17,20, 23 7:2,7,14,18 8:1,7,24 schedules 3:17 set 2:7 8:5,10 setting 6:4 settlement 3:13 4:20 8:25 sewer 2:9 simply 9:5 SM-2025-0067 2:8 small 2:9 sold 2:9 solve 6:3,7</p>	<p>speaking 7:17 specifics 3:22 staff 2:22,24 3:1,3, 16 7:8,14 8:6 statement 4:14,17 statements 3:25 4:5,11,13 steps 3:12 stop 8:20 submission 6:6 submit 5:5 6:19 8:6,11 submitted 4:9 5:9 8:10 substance 4:17 suggest 5:10 suggestion 6:8 suggestions 5:16 systems 2:9</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>table 4:2 testimony 3:20 5:25 6:5,16,20 7:5,10 8:9 things 4:9 6:7,8 throw 5:15 time 2:7 today 2:6 8:4 today's 4:21 tomorrow 6:24 transcript 4:23 5:1 transcription 2:4 turn 4:23 5:1 turned 7:20</p>	<p>typically 3:18 4:8</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>upcoming 5:15 Utility 2:19</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>Vangerpen 3:7,8 6:12 visually 9:4</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>wait 7:6 wanted 6:14 watching 9:6 Webex 2:11 8:22 9:7 Wednesdays 4:8 week 4:1,7,10 7:22 weeks 5:11 7:20 witnesses 3:24 4:5 work 6:1 8:12 works 4:7 6:22 wrap 8:20 writing 5:4 8:4</p>
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