

BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS  
PREHEARING CONFERENCE

In the Matter of the Application)  
of White River Valley Electric )  
Cooperative, Inc., For Approval )  
Of Designated Service )  
Boundaries Within Portions of ) File No. EO-2025-0228  
Christian County, Missouri. )

THURSDAY, APRIL 10, 2025  
3:00 p.m.

Jefferson City, MO  
via WebEx

VOLUME 1

KAROLIN WALKER, Presiding  
REGULATORY LAW JUDGE

TRANSCRIBED BY:  
MELISSA EICKEN

1                   LAW JUDGE WALKER: The conference --  
2   it's -- we're going to go on the record. It's  
3   April 10th, 2025. It is 3:00 p.m. This is a  
4   procedural conference in EO-2025-0228. The  
5   application of White River Valley Electric  
6   Cooperative, Incorporated, is the complainant.

7                   My name is Karolin Walker, and I'm the  
8   regulatory law judge in this matter. We're going to  
9   begin by having the attorneys enter their appearances.  
10   Let's start with White River Valley Electric  
11   Cooperative.

12                  MS. MCCORD: This is Megan McCord on behalf  
13   of White River Valley Electric Cooperative,  
14   Incorporated.

15                  LAW JUDGE WALKER: Thank you, Megan. Is  
16   there -- yeah. I know there's Commission staff. I  
17   can see you. Commission staff.

18                  MS. KLAUS: Yes. Thank you. Alexandra  
19   Klaus on behalf of staff. Our offices are at 200  
20   Madison Street, Jefferson City, Missouri 65102.

21                  LAW JUDGE WALKER: Thank you, Alexandra.  
22   Office of Public Counsel. Anybody for Liberty?

23                  MS. CARTER: Hi, Judge. This is Diana  
24   Carter for the Empire District Electric Company, doing  
25   business as Liberty.

1 LAW JUDGE WALKER: Okay. Thank you, Dana  
2 {sic}. And is there anybody that I've missed?

3 Okay. I have a few disclaimers. The  
4 procedural conference is called to discuss a  
5 procedural schedule. And it's under the jurisdiction  
6 of the Commission, and we're not here to address  
7 outside lawsuits, bankruptcy matters, disciplinary  
8 actions, federal agency issues, anything that's not  
9 relevant to what we're discussing today. We don't  
10 have a hearing date yet, but for everyone, I would  
11 like your available dates from the last two weeks in  
12 August through October, and the reason it's so late is  
13 because we currently only have, like, three days in  
14 June that are open and only a few days in July, so.

15 And to let you know, just how this process  
16 works, you can suggest the dates that you would like,  
17 but the Commission decides when the hearing is, and I  
18 would like -- I would like you all to discuss the  
19 procedural schedule. I understand that you -- I  
20 understand from Alexandra's pleadings that you've all  
21 been discussing it every day. And I'd like to know  
22 what's going on with it.

23 MS. MCCORD: Sure. Judge, if I may.

24 LAW JUDGE WALKER: Absolutely.

25 MS. MCCORD: This is Megan McCord for White

1 River. Thank you.

2 From what I understand, staff and White  
3 River were able to agree on most dates that are on a  
4 procedural schedule. We were really attempting to get  
5 this case wrapped up, you know, in the 90-day  
6 timeline, if possible, and we had May 16th set aside  
7 as an available hearing date for both parties. I -- I  
8 haven't heard from Liberty on that. I certainly  
9 understand if you have to push it back. But this is  
10 an active development, and I'm trying very hard to  
11 make sure the developers stays on schedule so that  
12 they can get service when they need to, and I don't  
13 think they can wait quite that long until August, but  
14 certainly, if that's what the Commission needs to do,  
15 we can do that, so. With that being said, I have lots  
16 of availability in -- in that time frame, if we need  
17 to discuss that.

18 LAW JUDGE WALKER: So do you have -- you're  
19 saying, Megan, that you have agreed to all of the  
20 dates in the procedural schedule?

21 MS. MCCORD: The schedule that was  
22 circulated by Lexi, I can comply with, my client can  
23 comply with, yes. We are fine with those dates.

24 LAW JUDGE WALKER: Is everything included  
25 in that schedule before May 16th?

1 MS. MCCORD: You know, it's a tight  
2 timeline, but we do have dates for direct testimony,  
3 staff reports, rebuttal testimony, we've got a  
4 pretrial conference date list of issues, exhibits,  
5 statement of positions. It's tight. But the case has  
6 been pending, you know, now, I think, for two months  
7 and -- or maybe not quite that long, but we've been  
8 trying to get it moving since then with getting dates  
9 and things and getting everybody on board, so.

10 LAW JUDGE WALKER: I agree with you, Megan,  
11 which is why I have this procedural conference. I  
12 want to move this case off the dime and get us closer  
13 to a hearing.

14 MS. MCCORD: Yeah.

15 LAW JUDGE WALKER: I guess, I -- I'll ask  
16 Lexi to -- go ahead. Whoever that is.

17 MS. CARTER: Sorry. I -- I apologize. I'm  
18 on the phone, so it's a little bit harder for me to  
19 tell on the talking. We had a meeting with staff and  
20 OPC. They're in person this morning, and I am heading  
21 back to Joplin now in the car, so I -- I apologize if  
22 I'm talking over someone. This is Diana Carter for  
23 Empire.

24 I -- as -- as we've been discussing, the  
25 three of us, by e-mail, we do not agree with the

1 proposed schedule as I believe it allowed about five  
2 days in between the filing of direct, rebuttal  
3 testimony, so. That, I believe, is just inherently  
4 unfair for Empire. It has -- that would not be  
5 sufficient time to review direct testimony.  
6 Obviously, that would not allow time to review any  
7 data requests and direct testimony, and then prepare  
8 rebuttal testimony. That seems patently unfair for  
9 Liberty --

10 LAW JUDGE WALKER: Okay.

11 MS. CARTER: -- to have such time schedule.

12 LAW JUDGE WALKER: Do -- do you have a  
13 schedule that you proposed?

14 MS. CARTER: Yes. By e-mail, what -- not  
15 the entire schedule. I suggested a date for rebuttal,  
16 and then we can just move the date out accordingly.

17 LAW JUDGE WALKER: And where is Liberty in  
18 all of this? They're an intervenor in this case.  
19 What is their procedural schedule, and what has been  
20 their interaction with you all in terms of the  
21 schedule. They're a party.

22 MS. CARTER: I'm sorry, I did not hear  
23 that.

24 LAW JUDGE WALKER: Well, just anyone can  
25 answer the question. I mean, Liberty is a party in

1 the suit, and the motion says it -- the -- the parties  
2 have been talking about every day. So where are they  
3 in terms of the procedural schedule? Lexi, can you  
4 speak to that?

5 MS. KLAUS: Yes, Judge. So between the  
6 workdays of Friday, March 28th, and Tuesday, April  
7 8th, staff did send correspondence to -- or was able  
8 to communicate with the parties every day except for  
9 Thursday, April 3rd. We did have an original initial  
10 schedule that was proposed about April 1st by White  
11 River. There were some tweaks that were made to that,  
12 that was circulated to the parties. Unfortunately,  
13 that version did not work. We did receive a suggested  
14 rebuttal date of May 12th from Liberty, and we did  
15 incorporate that into the most recent version of the  
16 procedural schedule that Ms. McCord had mentioned. I  
17 do note that, that May 12th rebuttal testimony date is  
18 60 days from the date on which Liberty filed its  
19 motion to intervene.

20 LAW JUDGE WALKER: Okay. Well, Ms. McCord,  
21 I have to tell you that I think May 16th is incredibly  
22 optimistic in terms of a trial date. I don't think we  
23 have any availability in May, and the other thing is,  
24 I'm sure she hasn't told you, but staff counsel's  
25 office is down three attorneys, so.

1 MS. MCCORD: Oh.

2 LAW JUDGE WALKER: Ms. Klaus is doing her  
3 work and the work of maybe three other people, so.  
4 We're a little backed up here.

5 MS. MCCORD: Absolutely. I understand  
6 that, certainly.

7 LAW JUDGE WALKER: I mean, her --

8 MS. MCCORD: Yeah.

9 LAW JUDGE WALKER: Well, does anyone have a  
10 suggestion about how we resolve this conflict?

11 MS. MCCORD: Judge, if I may, you know,  
12 there's been one other case like this at the Public  
13 Service Commission under the Territory Law 386.800 and  
14 that was kept with a pretty tight timeline. I know --  
15 I was involved in that case, and I know there were  
16 often times filings that were ordered, and then due  
17 two days later, and I -- I have a vague memory of  
18 filing things on a Sunday one time, so. I know that  
19 sometimes these cases are, you know, on a tight  
20 timeline, and it's not fun to have to get responses  
21 back within a week or something like that, but. I --  
22 I just ask that you do what you can to, obviously,  
23 with deference to staff counsel, but just to keep the  
24 case moving for my clients, because as I said, they've  
25 got a development under construction and they really



1 need to wrap it up for the developer, otherwise, we're  
2 going to have a -- a big development and those that  
3 don't have power, so.

4 LAW JUDGE WALKER: Well, go ahead. Lexi,  
5 do you have anything to add to this?

6 MS. KLAUS: Just to say, you know,  
7 originally, we had indicated in a status report that  
8 we were trying to operate with an April 21st report  
9 date. That has since been altered to the most recent  
10 version of the proposed procedural schedule to  
11 May 2nd. So we are trying to work with all parties to  
12 find dates that work with everybody and move as  
13 quickly and efficiently as possible with this, but we  
14 do understand that the Commission's calendar is rather  
15 packed for the next few months. I know Ms. McCord has  
16 said that August might not be the most preferred, but  
17 if that's what it needs to be from staff's  
18 perspective, then -- then we understand.

19 LAW JUDGE WALKER: Do you think that you  
20 can meet the deadlines that are in the current  
21 proposed procedural schedule?

22 MS. KLAUS: I'm quite hopeful that we can.  
23 Ms. McCord had mentioned a previous case, and she can  
24 correct me if I'm wrong, but I -- I think I recall  
25 some motions to suspend the procedural schedule at

1 certain points and, you know, maybe that's a tool in  
2 the toolbox for this case as well.

3 LAW JUDGE WALKER: Yeah. I -- we're really  
4 trying not to -- we're trying to collapse the motions  
5 for continuance and the extensions at least from the  
6 adjudication perspective. But you know what? Let's  
7 do this. The three of you and Lexi, will you, please,  
8 contact Liberty, send me your proposed procedural  
9 schedules, the ones you would like, and Ms. McCord, I  
10 understand and I feel your pain in terms of timing,  
11 so. Give me your available dates from June through  
12 October, and maybe we can fit you in those three days  
13 in June or those few days in July. Don't send me a  
14 procedural schedule if you cannot adhere to.

15 MS. MCCORD: Absolutely. Thank you, Judge.  
16 I appreciate that.

17 LAW JUDGE WALKER: If you need to make it  
18 longer, make it longer; does that sound good?

19 MS. MCCORD: Sounds great for White River.  
20 Thank you, Judge.

21 LAW JUDGE WALKER: Ms. Carter?

22 MS. CARTER: Yes. Thank you, Judge.

23 LAW JUDGE WALKER: Lexi?

24 MS. KLAUS: Judge, may I ask when would you  
25 like to have this filed by?

1 LAW JUDGE WALKER: Well, I'd like to have  
2 it filed tomorrow, but how about Monday?

3 MS. KLAUS: We can do our best, and you had  
4 said not the schedule that staff and White River had  
5 worked out. That is not what you want filed?

6 LAW JUDGE WALKER: No. I do want that.  
7 That's what they want.

8 MS. KLAUS: Okay.

9 LAW JUDGE WALKER: I want them -- you don't  
10 have to file it with the Commission. Well, I guess,  
11 you do have to file it with the Commission. How about  
12 this. I'll issue an order tomorrow and ask you to --  
13 to file procedural schedules by Monday, and I want  
14 each of you and Liberty to file a schedule that you  
15 can adhere to and that you can meet and that you're  
16 happy with, and then, you know, I'm going to resolve  
17 the conflicts that you cannot resolve, and it sounds  
18 like there are very few. It sounds like you have one  
19 day you have a problem with so far. But I will get  
20 them and look them over, and we'll go from there.  
21 Does that sound good?

22 MS. KLAUS: I think so.

23 LAW JUDGE WALKER: All right. Well, thank  
24 you all. This is great. I feel like we made some  
25 real progress here.

1 MS. MCCORD: Thank you, Judge. I really  
2 appreciate your diligence with this.

3 LAW JUDGE WALKER: Okay.

4 MS. KLAUS: Thank you, Judge. Appreciate  
5 your time.

6 (Audio ended.)

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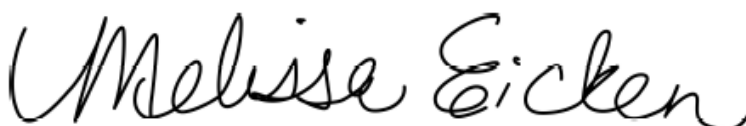
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I further certify that the foregoing pages constitute a true and accurate reproduction of the proceedings as transcribed by me to the best of my ability and may include inaudible sections or misidentified speakers of said open microphone recording.



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Date:

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