

BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS
PROCEDURAL CONFERENCE

Cheri Meadows,)
Complainant,)
v.) Case No. EC-2025-0136
Grain Belt Express, LLC,)
Respondent.)

MONDAY, SEPTEMBER 15, 2025
3:30 p.m.

Jefferson City, MO
via WebEx

VOLUME 7

JOHN CLARK, Presiding
SENIOR REGULATORY LAW JUDGE
KAYLA HAHN, Chair,
MAIDA J. COLEMAN,
GLEN KOLKMEYER,
JOHN MITCHELL,
COMMISSIONERS

Transcribed

By: Elizaphan Njuguna

1 JUDGE CLARK: Indicated before going on
2 the record means that we are recording this
3 and then sending it out to be transcribed.
4 Today's date is September 15th of 2025, and
5 the current time is 3:36 p.m. This procedural
6 conference is being held via WebEx for the
7 convenience of the parties.

8 The commission has set aside this time
9 today for procedural conference in the case
10 captioned as Cherry Meadows, complainant v.
11 Grain Belt Express LLC, respondent. And that
12 is case number EC-2025-0136.

13 My name is John Clark. I'm the
14 regulatory law judge overseeing this matter.
15 I'm going to begin by asking the attorneys to
16 enter their appearance for the record. I will
17 start first with the unrepresented. Ms.
18 Meadows, you're here, correct?

19 MS. MEADOWS: Yes.

20 JUDGE CLARK: And you're still
21 unrepresented. Is that correct?

22 MS. MEADOWS: Yes, sir. Yes, Judge.
23 Sorry.

24 JUDGE CLARK: Okay. On behalf of Grain
25 Belt.

1 MS. CALLENBACH: Yes. Good afternoon,
2 Judge. Anne Callenbach, from the law firm,
3 Polsinelli PC in Kansas City. And I believe
4 that two of our associates are also
5 participating. Jared Jevons and Sean Pluta.

6 JUDGE CLARK: Thank you. On behalf of
7 the staff of the Commission.

8 MR. HANSEN: Andrea Hansen, entering
9 appearance for staff. We also have a couple
10 of other attorneys in here as well. We have
11 Travis Pringle and then Tracy Johnson. And we
12 do have a staff member sitting with me as
13 well.

14 JUDGE CLARK: Okay. Well, good
15 afternoon. And from the Office of Public
16 Counsel.

17 MR. POSTON: Mark Poston appearing for
18 the OPC.

19 JUDGE CLARK: Okay. Is there anybody
20 here that I haven't called who's counsel for
21 anybody? I hear nobody. Okay. This was
22 called at the behest of the parties, I
23 believe, to kind of go over this. I received
24 an email that said that Ms. Meadows was going
25 over the transcript and found a few things

1 that she thought need to be corrected.

2 During the hearing, it said to go over
3 this. It said, "I said I wanted to admit a
4 letter from my county commissioner, but forgot
5 to do it until I read the transcript and
6 realized I'd forgotten to give the letter to
7 the court reporter. Judge Pridgin (phonetic)
8 said I could give that would be given exhibit
9 number 27 later.

10 I said 30, but he was correct. It should
11 have been exhibit 27. Is it still possible
12 for me to enter that exhibit? If so, would
13 you advise what the proper procedures for
14 doing so. Also, I didn't enter my version of
15 exhibit number 13 because Grain Belt had in
16 their binder and I didn't want duplicate
17 exhibits.

18 But she realized that over the weekend
19 that it didn't include the entire email, which
20 include three paragraphs which she wanted the
21 commission to see as well. She also said that
22 two of her videos were being referenced
23 backwards and did not like the way one of her
24 exhibits was being titled. And I believe I
25 responded back that if Exhibit 27 wasn't

1 filed, she could submit it via EFIS.

2 If she wanted to submit Exhibit 13, which
3 it sounds like didn't get submitted during the
4 the -- during the hearing, she could do that
5 as well. I said that I thought Exhibit 6 and
6 25 could be switched if they were referencing
7 the wrong exhibit numbers.

8 And finally, the title of an exhibit is
9 generally turned by determined by the judge,
10 but I had no problem titling exhibit 7
11 complainants potential risks to property." I
12 said, however, I encourage you to submit any
13 unsubmitted exhibits quickly so that I can
14 allow time for other parties to comment or
15 object on the proposed alterations or exhibit
16 that may have been missed.

17 A little bit vague, and I think Ms.
18 Meadows took it as submit any exhibits that
19 you want to, to submit that you did not submit
20 at the hearing, which was not what I meant.
21 So we have a number of things that were filed
22 in EFIS and I'm kind of going to go through
23 those one at a time.

24 And I guess we'll start. All of these
25 were filed on September 11th, and I got the

1 letter from the presiding commissioner. And
2 is that something -- and you'll have to bear
3 with me here. I was sick and unfortunately I
4 was unable to do the hearing. So I don't have
5 the kind of firsthand recollection that I
6 might otherwise had if I oversaw the hearing.
7 Is this exhibit 13, Ms. Meadows?

8 MS. MEADOWS: No, this one is 27.

9 JUDGE CLARK: Okay. So that's 27? And
10 that's --

11 MS. MEADOWS: That's the one from the
12 commissioner, yes.

13 JUDGE CLARK: And is that the part of the
14 email that's missing?

15 MS. MEADOWS: No, the one you're talking
16 about with the email missing is 13.

17 JUDGE CLARK: Okay. Well, tell me about
18 -- okay, so you just didn't submit 27 to the
19 court reporter during the hearing and it's not
20 in evidence, right?

21 MS. MEADOWS: Correct. I mentioned it
22 and said I needed to sign a number and Judge
23 Pridgin said it would be 27, and I said 30.
24 But it turned out he was keeping better
25 records than me. It was indeed 27. And then

1 I completely forgot and went on and forgot to
2 give it to the court reporter before I left,
3 so.

4 JUDGE CLARK: And I looked at the
5 transcript and you are correct. It looks like
6 that, that he had given that exhibit 27. Was
7 Greenbelt given an opportunity at the hearing
8 to ask questions about it?

9 MS. MEADOWS: No, because I didn't have
10 copies for everyone and I wasn't -- I
11 understood if we didn't have copies for
12 everyone, we couldn't give an exhibit. And I
13 offered to email. I don't know if it was that
14 one, but I offered to email the others, and
15 then I just kind of got lost in how all this
16 works. And I'm sure I screwed all this up,
17 and I apologize, but --

18 JUDGE CLARK: It is -- Ms. Meadows, it's
19 fine. I, I was a little bit vague in my
20 email, and so you kind of took it as, as it
21 could be plainly read, which is submit
22 whatever you have remaining. So let's go
23 back. So that looks like that was
24 contemplated submitting at the hearing, but
25 did not get submitted, but was in fact given

1 an exhibit number. Is that correct?

2 MS. MEADOWS: Correct. Yes.

3 JUDGE CLARK: Okay. Email to Jason
4 Brown. Now, that, that, I believe, is the one
5 that is the fuller version of the exhibit then
6 was filed by Green Belt. Or am I wrong there?

7 MS. MEADOWS: I'm sorry, I didn't -- it's
8 raining really hard here. I apologize. Could
9 you repeat that question?

10 JUDGE CLARK: Yeah, it's -- it is EFIS
11 number 110, which may not be helpful to you,
12 email to Jason Brown.

13 MS. MEADOWS: Yes.

14 JUDGE CLARK: Okay, so that's a complete
15 version of the --

16 MS. MEADOWS: Of the email that I sent
17 him. Actually, Greenbelt had it in their
18 binder, and that's what I was looking off of
19 when I was talking to Jason. And I just
20 thought -- I mean, I didn't see the closing
21 signature line and the rest of the email.

22 I assumed it was probably just somewhere
23 in the binder because, I mean, I don't know.
24 Is it -- is it customary that whenever you
25 submit an email or letter or something, you

1 have to do it in its entirety, or can you just
2 do parts of it or what's the -- is there a
3 regulation or rule or something on that?

4 JUDGE CLARK: If a party submits
5 something that is not complete, if you are
6 willing, you can't object because it's
7 incomplete. Or in this case, you have offered
8 a more complete version of the document.
9 However, I've got a question for Greenbelt
10 real quick. Did Green Belt -- did you submit
11 an exhibit that was an email from Jason Brown?

12 MS. CALLENBACH: Yes, Judge. It was part
13 of our exhibit 104, the sort of comprehensive
14 timeline with multiple tabs. And we did
15 review that. And Ms. Meadows is correct, we
16 inadvertently did not include. There's
17 another page, so we have no objection to her
18 inclusion of the full version of that. So
19 that, that was our error.

20 JUDGE CLARK: Okay. All right. That
21 sounds like that should be easy to fix. E and
22 F affecting humans. Is that something that
23 was mentioned at the -- was that exhibit
24 mentioned at the hearing?

25 MS. MEADOWS: I don't recall if it was

1 mentioned. The problem was it's 60 pages, and
2 I don't have the resources to print out 60
3 pages for 10 people to take out to the -- or
4 to present at the hearing.

5 So I didn't -- I had it on my list that I
6 wanted to exhibit it and then when I actually
7 got in there to do it and saw it with 60
8 pages, I was like, I didn't even know --
9 again, it goes back to -- I wasn't sure if you
10 can do partial things.

11 I ended up doing that on one of them just
12 because I didn't want to not have anything to
13 submit. But so that one is 60 pages and I
14 just put it on the list. And then once I went
15 to print it and realized how long it was, it
16 didn't, didn't make it to the final cut to be
17 taken to the exhibit. So I would like to
18 present it, just not have it printed out.

19 JUDGE CLARK: Well, it's unusual to take
20 exhibits after the hearing, but it is not
21 unusual for parties to file exhibits after the
22 hearing as late filed exhibits. The problem
23 with late filed exhibits is that the hearing
24 is really an opportunity for the other parties
25 to ask questions, cross-examination questions

1 about that evidence.

2 And when you submit it after the fact,
3 you deprive them of that opportunity. So
4 generally that doesn't work out real well.
5 However, there's also no prohibition against
6 submitting late filed exhibits provided the
7 other parties are willing to -- other parties
8 are given an opportunity to comment and
9 object. And that's what my intention is.

10 MS. MEADOWS: I thought -- I thought I
11 had missed the window, Judge. And then you
12 said any exhibit you need to get in before
13 whatever. So I was like, "Oh, I guess I can
14 still enter it."

15 JUDGE CLARK: I understand that.

16 MS. MEADOWS: That's my fault. I'm sorry.

17 JUDGE CLARK: And you're going to be
18 allowed to submit those. But whether or not
19 they come in is a different matter.

20 MS. MEADOWS: Sure.

21 JUDGE CLARK: And the other parties get
22 an opportunity to object and we're going to
23 establish a timeline for that today. So E and
24 F affecting humans, professor Martin Blank,
25 that's a new one. That was not submitted.

1 Polsinelli letter to AG dated July 30, 2024.

2 Is that a new exhibit?

3 MS. MEADOWS: That was -- those were both
4 on my exhibit list. They just weren't handed
5 out at the hearing.

6 JUDGE CLARK: Well, what I mean when I
7 say is, I mean you didn't introduce it, it
8 didn't get an exhibit number. You didn't
9 mention it during the hearing, regardless of
10 whether or not it was on your list.

11 MS. MEADOWS: Well, I did mention the
12 letter because I had -- I believe I had Kevin
13 Chandler read it maybe. Sorry, Judge, I've
14 been working on so many of these things, it's
15 all starting to run together --

16 MR. HANSEN: I do believe that -- I do
17 believe that, that she did question Mr.
18 Chandler on the attorney's or Attorney General
19 letter, at least part of it.

20 JUDGE CLARK: Okay. Was that -- but that
21 was never offered, correct?

22 MR. HANSEN: I cannot -- I cannot
23 remember specifically.

24 MS. CALLENBACH: Judge, I can confirm it
25 was never offered, Judge.

1 JUDGE CLARK: Okay. The Missouri
2 Constitution, Bill of Rights, Section 2.
3 Promotion of Bill -- of General Welfare.

4 MS. MEADOWS: Yes, promotion of General
5 Welfare.

6 JUDGE CLARK: Was that submitted during
7 the hearing?

8 MS. MEADOWS: I think I offered it and I
9 think Judge Pridgin said it wasn't necessary
10 or something, maybe. Maybe someone else can
11 recall that better. But I did say I had it,
12 and I believe I even offered to hand it out.

13 MS. JOHNSON: Judge Clark, sorry to
14 interrupt. This is Tracy Johnson from Staff
15 Counsel's office. I was in attendance at the
16 hearing the entire time with Ms. Hansen for
17 Staff Counsel's office. And I think the
18 problem with a number of these exhibits or
19 documents is that the Polsinelli timeline
20 binder that was offered as a single exhibit
21 includes a lot of these because it was a
22 timeline of communication.

23 So whenever we were in the hearing, their
24 exhibit was utilized, Grain Belt's exhibit,
25 excuse me, was utilized multiple times to talk

1 about these documents because many of them
2 were included.

3 And so some of them were used from their
4 exhibit but never offered as a separate
5 exhibit from Ms. Meadows. And I believe that
6 that's what happened with both the Polsinelli
7 letter and the current document we're talking
8 about.

9 JUDGE CLARK: Okay, thank you very much,
10 Ms. Johnson.

11 MS. CALLENBACH: Can I ask a clarifying
12 question about that? I don't -- the, the
13 Missouri Constitution was not in our exhibit
14 104, and neither was the Attorney General's
15 letter that we wrote. So neither one of those
16 are part of 104.

17 JUDGE CLARK: Okay. All right. What
18 about the wind speed data recording?

19 MS. MEADOWS: No, it was just reference.
20 I didn't have the copies for everyone.

21 JUDGE CLARK: Is that true of the
22 lightning strike information?

23 MS. MEADOWS: Correct. Yeah, that was a
24 color map, and it was just the resources
25 weren't available to print out so many colored

1 maps.

2 JUDGE CLARK: All right.

3 MS. MEADOWS: And the last two on the
4 list.

5 JUDGE CLARK: And that is the testimony
6 of Cedric Cunningham (phonetic)?

7 MS. MEADOWS: Yeah, that one was not
8 mentioned at all. That one's completely new,
9 which -- so that might need to be a motion or
10 late filed.

11 JUDGE CLARK: Well, if they weren't -- if
12 they weren't entered at the hearing, then
13 they're all going to be considered late filed
14 whether they were mentioned or not. They get
15 -- Grain Belt gets an opportunity to reject or
16 to, to respond to these and object as if
17 they're being offered for the first time.

18 MS. MEADOWS: Well, and if it's just
19 easier, that one's part of the other record of
20 the 2023, I believe it's 0017 case. I can
21 just reference it there. I just thought it
22 would be easier to streamline all this because
23 we're going to have, between their stuff and
24 my stuff, there's so much evidence.

25 I was just trying to -- that's why I

1 didn't want to double up on stuff that they
2 already had or whatever because I was trying
3 to make this streamlined as possible, and then
4 we hit a few hiccups here. But the Cedric
5 one, I can -- I mean, it's no big deal if that
6 one -- if I didn't do that right, I don't -- I
7 don't care. I can just reference it from
8 where it's at in the other file.

9 JUDGE CLARK: Okay. And I will respond
10 to that in just a second. Staff did in fact
11 file a late filed exhibit and Grain Belt has
12 objected to that. That has not been ruled on
13 yet. I wouldn't expect it to be ruled on
14 before initial briefs are due. I believe
15 that's all the exhibits. Let's kind of
16 backtrack for a second. Exhibit 27 was the
17 county commissioner letter correct?

18 MS. MEADOWS: Yes.

19 JUDGE CLARK: What's this? Let me see
20 what this is. What -- and you said that you
21 thought it was exhibit 30, but you have an
22 exhibit 30 that is --

23 MS. MEADOWS: That was the DR3 --

24 JUDGE CLARK: Correct.

25 MS. MEADOWS: --request.

1 JUDGE CLARK: Okay. So -- and it looks
2 like the numbering ends with 26. So that will
3 be 27. And --

4 MS. MEADOWS: Now -- I'm sorry, what --
5 you're saying 27 is the commissioner's letter?

6 JUDGE CLARK: That's the commissioner's
7 letter. That was the one that was -- well,
8 refresh my memory. Was that submitted or not?
9 That just --

10 MS. MEADOWS: It, it was mentioned, yeah.
11 And Judge Pridgin said it was 27 and I said it
12 would be 30. But then when I looked back over
13 my record, he was correct, it was 27.

14 JUDGE CLARK: Okay. So that was admitted
15 as exhibit 27?

16 MS. CALLENBACH: No, Judge. It was --

17 MS. MEADOWS: That one was --

18 JUDGE CLARK: Go ahead, Ms. Callenbach.

19 MS. CALLENBACH: And it was mentioned by
20 Ms. Meadows. It was never offered. We didn't
21 see a copy of it until it was filed in EFIS on
22 September 11th.

23 JUDGE CLARK: Okay. Well, all right.
24 But Grain Belt has no objection to the
25 expanded Jason Brown letter. Is that correct?

1 MS. CALLENBACH: That's correct.

2 JUDGE CLARK: All right. Well, for ease
3 of submission, I will have -- that was -- that
4 was submitted, correct?

5 MS. MEADOWS: I'm sorry, the Jason Brown
6 email?

7 JUDGE CLARK: Yeah, there it is.

8 MS. MEADOWS: Okay.

9 JUDGE CLARK: All right. Since, since 27
10 is unknown at this point, I'm going to assign
11 that as Exhibit 28. Since there's no
12 objection, I'm going to go ahead and admit
13 that onto the record of the case. Well,
14 actually, there's no objection from Grain
15 Belt.

16 Are there objections from any other
17 parties? Hearing none, Exhibit 28, the email
18 to Jason Brown will be admitted onto the
19 hearing record. It looks like all of the
20 other exhibits, the E and F affecting humans,
21 Polsinelli letter to the Attorney General, the
22 Missouri Constitutional Bill of Rights, the
23 wind speed data recording, the lightning
24 strike presentation, the Cunningham pre-file
25 testimony, and the man-made -- the man-made

1 electromagnetic exhibit, and finally the
2 county commissioner letter.

3 Those are all -- those are all new
4 exhibits. And so -- and I did see that you
5 did file today - and thank you for doing that
6 - a motion to correct the transcript as I'd
7 indicated. There's two ways I can do this.

8 And because of the shortness of time and
9 availability in regard to that, I'm just going
10 to ask how parties would like to do that. I
11 can either set a time to respond now to, to --
12 for any objections to these as exhibits, or I
13 can issue an order and list out what they are
14 and set a time for objections. Is there a
15 preference or can agree on a time and I can
16 follow up with an order tomorrow morning?

17 MR. HANSEN: Staff doesn't have a
18 preference.

19 MS. CALLENBACH: Judge, Grain Belt does
20 not have a preference. I think we're all
21 fairly clear on what these exhibits are. If
22 you want to not have to go through the, the
23 hassle of issuing an order naming all of them,
24 we're fine if you just want to set a time for
25 responses.

1 JUDGE CLARK: Now, if I remember
2 correctly, initial briefs are due the 17th and
3 response or reply briefs are due the 24th. Is
4 that correct?

5 MR. HANSEN: That's correct.

6 JUDGE CLARK: All right. Since I imagine
7 Grain Belt may have the most to say about
8 these exhibits, how much time does Grain Belt
9 want to respond to them?

10 MS. CALLENBACH: We could probably have a
11 response on file by the 17th, the date initial
12 briefs are due.

13 JUDGE CLARK: Okay. Are there any
14 objections from any other parties to having
15 until the 17th at the end of the day to
16 respond?

17 MS. CALLENBACH: Oh, Judge, I apologize.
18 I meant the 17th is actually Wednesday. Is
19 there going to be a motion to admit late filed
20 exhibits or are we just taking the filing of
21 these as a sort of ad hoc motion?

22 JUDGE CLARK: I was taking it as an ad
23 hoc motion. I had Ms. Meadows file a motion
24 to correct the transcript because I didn't
25 think it was appropriate to do that via email.

1 I don't think it's appropriate to, to do
2 exhibits via email either. But these were
3 just put into EFIS, and since they were there,
4 I thought we might as well just address them
5 there.

6 MS. MEADOWS: Sure.

7 MS. CALLENBACH: No, and that -- that's
8 fine. And I misspoke. We will not be able to
9 file something by this Wednesday, the 17th,
10 but we could by next Wednesday, the 24th.

11 JUDGE CLARK: Okay. Are there any
12 objections to any parties for allowing until
13 the 24th for objections to late filed
14 exhibits?

15 MS. MEADOWS: I have a question.

16 JUDGE CLARK: Yes, Ms. Meadows.

17 MS. MEADOWS: So we're supposed to file
18 the briefs and then they can object to those?

19 JUDGE CLARK: Not, not, not objecting to
20 the briefs. The briefs, you will file. You
21 will file them and you will cite the evidence
22 that you want to cite. And if that evidence
23 is ultimately not admitted, then that, that
24 evidence will be disregarded by the
25 commission.

1 Do you want me to assign tentative
2 numbers to these now so that people know what
3 they're objecting to, or do you want to do
4 objections first and if any are admitted, I
5 assign them numbers at that point, I think the
6 latter makes more sense.

7 MS. MEADOWS: Well, I'm going to be
8 honest with you. As you know, I'm not an
9 attorney and I cannot without these motions
10 and things very quickly. And I had to stop
11 what I was doing, working on my brief and file
12 the motion for the transcript because that was
13 the -- those were pretty big errors.

14 And then also I had to file the reply to
15 Grain Belt opposition of the map that
16 Commissioner Hahn mentioned during the
17 hearing. So that has put me behind on all
18 this. And I don't know where everyone else is
19 on this. I mean, I'm sure everyone else has
20 staff and help or whatever. It's just me
21 here.

22 JUDGE CLARK: Well, I'm not requiring you
23 to do a motion as to any of your late filed
24 exhibits. As, as Ms. -- I'm sorry. As Grain
25 Belt said, I'm treating the filing of those as

1 an ad hoc motion to admit them as late filed
2 exhibits. So I'm not requiring you to, to do
3 a motion.

4 MS. MEADOWS: I just -- I found that I --
5 if I reference them and then they're kicked
6 out, I mean, is -- and this may be a dumb
7 question, if it is, I'm sorry -- but is there
8 any way to move the briefs back a week and
9 have, have them do the things due by next
10 Wednesday that briefs are due, and that way if
11 they get -- Grain Belt get their decision done
12 early, then we still have time to change the
13 brief?

14 JUDGE CLARK: Okay. So you're talking
15 about moving the briefing date back further.
16 Is that correct?

17 MS. MEADOWS: One week? Yes. And then
18 the, the brief --

19 JUDGE CLARK: That will -- that will move
20 initials to the 24th and, and responsiveness to
21 the 1st. Is that correct? Reply briefs to
22 the 1st.

23 MS. MEADOWS: Oh,

24 JUDGE CLARK: That's what I've got in
25 front of me.

1 MS. MEADOWS: Is that a week?

2 JUDGE CLARK: Well, that would move --
3 that would move the initial briefs one week
4 from the 17th to the 24th. And it would move
5 reply briefs from the 24th to the 1st of
6 October.

7 MS. MEADOWS: Already into October, I
8 guess, if that's how it works. I mean, I just
9 feel like --

10 JUDGE CLARK: You're making a request,
11 I'm assuming, to do that. Correct?

12 MS. MEADOWS: Well, it's just customary
13 that it's a week. The reply briefs are a week
14 then?

15 JUDGE CLARK: No, there's no customary,
16 that's generally what the parties -- the what
17 -- the schedule that's given to me. If the
18 commission adopts it, usually the parties put
19 together how much time they want for briefs
20 and such. And then when the commission
21 approves the schedule, then it's -- then it
22 becomes part of an order.

23 MS. MEADOWS: I see. Okay. I mean, if
24 you --

25 JUDGE CLARK: Are making an oral -- Ms.

1 Meadows, hold on. Are you making an oral
2 motion to delay the briefing schedule by a
3 week for both briefs?

4 MS. MEADOWS: I would -- I would like
5 that, yes.

6 JUDGE CLARK: Okay.

7 MS. MEADOWS: Considering I've had to
8 file these two other legal things
9 unexpectedly, that took a lot of time.

10 JUDGE CLARK: Are there any objections to
11 moving the briefing schedule or shifting the
12 briefing schedule one week later?

13 MS. CALLENBACH: Yeah, Grain Belt Express
14 objects to that, Judge. We already -- we were
15 supposed to have this hearing on May 2nd, and
16 we agreed to shift the hearing to August 20th
17 to accommodate Ms. Meadow's additional
18 allegations she made five months after her
19 original complaint was made.

20 And I think we've been more than
21 accommodating on all these time shifts. And
22 we would object to that. We're not willing to
23 be any more flexible with the dates. They've
24 already slipped multiple, multiple times. So
25 we do object.

1 JUDGE CLARK: Okay. Any other parties
2 wish to weigh in on it? Okay. I am going to
3 -- I'm not going to grant the motion. I agree
4 with Grain Belt, actually, in this regard.
5 There are some late filed exhibits to object
6 to. Any party is welcome to comment or object
7 to those exhibits.

8 Any exhibits that make it in, I will give
9 an exhibit number to and admit after that.
10 I'm going to give all the parties until the
11 24th to respond regarding whether the late
12 filed exhibits should be admitted. I'm
13 leaving briefing as it is on the 17th and the
14 24th.

15 To answer your earlier question, Ms.
16 Meadows, if you're citing a -- if you're
17 citing a piece of evidence that ultimately is
18 not admitted, then I will disregard that piece
19 of evidence when working on -- or the
20 commission will disregard that piece of
21 evidence.

22 That doesn't mean that you can't rely on
23 other pieces of evidence. But just be aware
24 that if that evidence doesn't come in, the
25 commission won't be relying on it in making

1 its decision.

2 MS. MEADOWS: Now, will you be reading
3 over the transcript or watching the video of
4 the hearing before you make this decision? Or
5 how does that work since you weren't actually
6 there that day?

7 JUDGE CLARK: Okay. Before the
8 commission makes the decision? Is that the
9 question?

10 MS. MEADOWS: I thought it was your --
11 I'm confused. It's not your decision whether
12 --

13 JUDGE CLARK: The Commission makes the
14 ultimate decision. They have -- they have an
15 advisory staff and they all read the
16 transcript. Some of them you saw were there
17 during the hearing. I read the transcript. I
18 have already begun viewing the hearing when
19 I've had time to do so.

20 And yes, I review everything and
21 ultimately the Commission makes a decision.
22 And I translate the Commission's decision into
23 an order. And if they agree that it
24 accurately reflects what they meant, then they
25 approve that order and it becomes the

1 Commission's order.

2 MS. MEADOWS: Okay. And that's on the
3 exhibit. So we're on the same page here.

4 JUDGE CLARK: That's, that's, that's on
5 the whole thing. That's the whole thing. In
6 regard to the admission of the exhibits, no,
7 I'll be making a ruling on that. So Grain
8 Belt, I assume, is going to file objections to
9 that, and then I will -- every party has until
10 the 24th to get theirs in and then after that
11 I will rule on those objections. You will see
12 the ruling on those objections in the final
13 report and order.

14 MS. MEADOWS: Okay. So the rejection --

15 JUDGE CLARK: Objection.

16 MS. MEADOWS: -- has to be the 24th. I'm
17 just making notes here.

18 JUDGE CLARK: You don't have to object to
19 anything, Ms. Meadows, because these are
20 things you're offering.

21 MS. MEADOWS: Sure. (indiscernible) for,
22 for knowing when they're going to have their
23 information in. Okay, so that's next
24 Wednesday. Okay. All right. I'm on the same
25 page with everyone now.

1 JUDGE CLARK: Okay. Is there -- that is
2 all I had on my agenda to discuss. Is there
3 anything that I have forgotten or need to
4 address?

5 MS. MEADOWS: Can I ask a question about
6 maybe a possible date for the late filed
7 motion for staff from last week? A decision
8 date that -- the 24th also?

9 JUDGE CLARK: I planned to put my
10 decision regarding that into the final order
11 as well. Staff is welcome to reference it,
12 but if it doesn't come in, it doesn't come in.

13 MS. MEADOWS: Okay. And one, one last
14 question. When do you anticipate the
15 corrections on the exhibit titles and swapping
16 and that sort of thing that I emailed you?

17 JUDGE CLARK: I'm going to try and do
18 that and rule on the motion to correct the
19 transcript tomorrow. Those are things that I
20 would like to get done.

21 MS. MEADOWS: Okay. So that Tuesday, the
22 -- okay, okay. That takes care of my
23 question. Thank you.

24 JUDGE CLARK: The problem I have with
25 doing that today, and the reason I couldn't do

1 that today is my legal assistant is out and
2 she helps me with the exhibits and does things
3 to them that I cannot do due to my lack of
4 technical expertise.

5 All right. Is there anything else I need
6 to take up at this procedural conference at
7 this time? Okay. I hear nothing. Thank you
8 for -- I didn't know on Friday when I was
9 going to be able to get this in this
10 afternoon, so thank you for being available on
11 short notice.

12 I don't like issuing an order and having
13 to meet the same day, but I appreciate
14 everybody taking time to do it. With that,
15 I'm going to end this hearing. We'll go off
16 the record and thank you very much.

17

18

19

20 (End of audio recording.)

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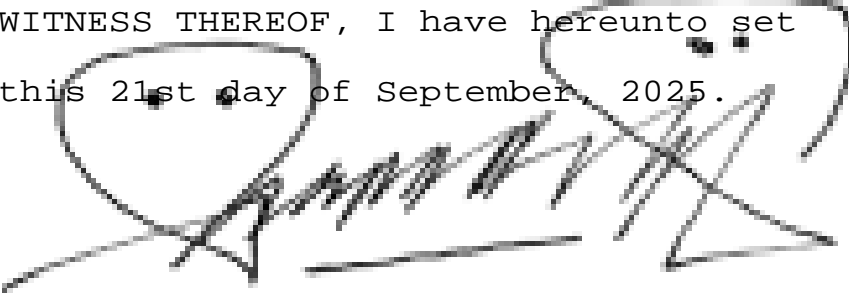
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I, ELIZAPHAN NJUGUNA, do hereby certify:

That said audio transcription is a true
record as reported by me, a disinterested
person.

I further certify that I am not
interested in the outcome of said action, nor
connected with, nor related to any of the
parties in said action, nor to their
respective counsel.

IN WITNESS THEREOF, I have hereunto set
my hand this 21st day of September, 2025.



Elizaphan Njuguna

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