

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS
Procedural Conference
July 14, 2011
Jefferson City, Missouri
Volume 1

In The Matter of The Application Of)
The Empire District Electric Company)
For the Issuance Of An Accounting) File No.
Authority Order Relating To Its Electrical) EU-2011-0387
Operations And For A Contingent Waiver)
Of The Notice Requirement Of)
4 CSR 240-4.020 (2))

HAROLD STEARLEY, Presiding
SENIOR REGULATORY LAW JUDGE
KEVIN D. GUNN, Chairman
ROBERT M. CLAYTON, III
JEFF DAVIS
TERRY M. JARRETT
ROBERT S. KENNEY,
COMMISSIONERS

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FOR: Office of Public Counsel

1 JUDGE STEARLEY: Good morning. It's Thursday,
2 July 14th, 2011. The Commission has set this time for a
3 procedural conference in File Number EU-2011-0387, which is
4 captioned as In The Matter Of The Application Of The Empire
5 District Electric Company For The Issuance Of An Accounting
6 Authority Order Relating To Its Electrical Operations And For
7 A Contingent Waiver Of The Notice Requirement Of 4 CSR
8 240-4.020(2).

9 My name's Harold Stearley and I'm the
10 presiding officer over this matter. And we'll begin by
11 taking entries of appearance, starting with the Empire
12 District Electrical.

13 MR. SWEARENGEN: Thank you, Judge. Jim
14 Swearengen and Dean Cooper, Brydon, Swearengen & England,
15 Jefferson City, Missouri appearing on behalf of the Empire
16 District Electric Company.

17 JUDGE STEARLEY: Okay. Thank you,
18 Mr. Swearengen.

19 For Praxair, Incorporated and Explorer
20 Pipeline.

21 MR. CONRAD: Yes, sir. Please show the
22 appearance of Stuart W. Conrad of the law firm of Finnegan,
23 Conrad & Peterson, 3100 Broadway, Suite 1209, Kansas City,
24 Missouri.

25 I did not fill out the form to indicate

1 Mr. Woodsmall's involvement in the case. He is local here,
2 but I would do so at this time.

3 JUDGE STEARLEY: Thank you, Mr. Conrad.

4 For the Office of the Public Counsel.

5 MS. BAKER: Thank you. Christina Baker and
6 Lewis Mills, appearing on behalf of the Office of the Public
7 Counsel.

8 JUDGE STEARLEY: All right. Thank you,
9 Ms. Baker.

10 And the Commission Staff.

11 MS. KLIETHERMES: Thank you, Judge. Sarah
12 Kliethermes, Staff Counsel's Office, 200 Madison Street,
13 Jefferson City, Missouri 65101 for the Staff of the Missouri
14 Public Service Commission.

15 JUDGE STEARLEY: Okay. Thank you,
16 Ms. Kliethermes.

17 Are there any preliminary matters that we need
18 to address at all? And I know at this point, there are some
19 concerns the parties wish to discuss. And I don't believe at
20 this point we're in a contested case posture, but could
21 evolve that way. I'm not sure what-all will happen.

22 But at this point, I'm not going to ask that a
23 procedural schedule be filed, but rather that you-all just
24 file a status report with the Commission in a week to ten
25 days. And if the parties want time to negotiate or further

1 discuss things, they can just indicate that. If they wish to
2 set up some type of a procedural schedule toward a hearing of
3 some type, just let us know in your report.

4 Anything else? Okay. With that, we will go
5 off the record, and I'll leave you-all for your discussions.
6 Thank you all very much.

1 CERTIFICATE OF REPORTER

2 STATE OF MISSOURI)

) ss:

3 COUNTY OF GASCONADE)

4

5 I, JENNIFER L. LEIBACH, Registered Professional

6 Reporter, Certified Court Reporter, CCR #1108, and Certified

7 Realtime Reporter, the officer before whom the foregoing

8 matter was taken, do hereby certify that the witness/es whose

9 testimony appears in the foregoing matter was duly sworn;

10 that the testimony of said witness/es was taken by me to the

11 best of my ability and thereafter reduced to typewriting

12 under my direction; that I am neither counsel for, related

13 to, nor employed by any of the parties to the action in which

14 this matter was taken, and further that I am not a relative

15 or employee of any attorney or counsel employed by the

16 parties thereto, nor financially or otherwise interested in

17 the outcome of the action.

18

19 _____

20 Court Reporter

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