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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
  
TRANSCRIPT OF PROCEEDINGS  
  
Prehearing Conference  
  
June 30, 2004  
Jefferson City, Missouri  
Volume 1

In the Matter of the Future Supply,)  
Delivery and Pricing of the )  
Electric Service Provided by ) Case No. EW-2004-0596  
Kansas City Power & Light Company. )

LEWIS MILLS, Presiding,  
DEPUTY CHIEF REGULATORY LAW JUDGE.

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1 P R O C E E D I N G S

2 JUDGE MILLS: We're on the record for a  
3 prehearing conference in Case No. EW-2004-0576.

4 This is a working docket case, an EW case.  
5 There have been several entities that filed applications  
6 to intervene. Intervention really isn't necessary in a  
7 case that the Commission styled as a working group case,  
8 but those parties that have applied to intervene are  
9 certainly welcome to be participants, which is what the  
10 entities in one of these commission cases are generally  
11 called.

12 Those entities are Praxair, Incorporated,  
13 Concerned Citizens of Platt County and the Missouri  
14 Industrial Energy Consumers, and they have all applied for  
15 intervention. No party has raised any objection, and they  
16 will all be allowed to participate as participants in this  
17 case.

18 Yes?

19 MS. WOODS: Missouri Department of Natural  
20 Resources also applied to intervene.

21 JUDGE MILLS: I believe that was in a  
22 different case.

23 MS. WOODS: No. That was in this case.

24 JUDGE MILLS: That was in the EW case?

25 MR. FISCHER: Your Honor, KCPL doesn't have

1 a problem with DNR participating in this docket.

2 JUDGE MILLS: And I certainly don't either.

3 According to my records, I thought that was filed in the

4 EO case rather than the EW case, but I may be confused

5 about that.

6 Yes?

7 MR. FINNEGAN: I'm going to be speaking to

8 Jackson County. I just found out about this case, even

9 though Jackson County has been a party to all the rate

10 cases for KCPL for eons, and so once I talk to them, I

11 think we'll probably be participating, too, if the

12 budget's available.

13 JUDGE MILLS: All right. The parties asked

14 for this prehearing conference. I'm not aware of anything

15 other than those applications to intervene that are

16 pending, and so I don't really have anything else that I

17 need to take up on the record.

18 Is there anything the parties wish to bring

19 up while we're on the record?

20 MR. FISCHER: Your Honor, I think from our

21 perspective, from Kansas City Power & Light's perspective,

22 what we'd like to visit with the parties about is the

23 process that we're going to be using and hopefully

24 scheduling some workshops that would be convenient to the

25 Commissioners, the Staff, Public Counsel and all the

1 intervenors to visit about the strategic planning process  
2 that KCPL's been through and the results of that and just  
3 how to go forward in this case to review our plans for the  
4 future.

5 But I think initially particularly we're  
6 interested in making sure that we find a time for  
7 presentation that would be convenient to everybody,  
8 including Commissioners that might be interested since it  
9 is a workshop docket.

10 JUDGE MILLS: Okay. Mr. Dottheim?

11 MR. DOTTHEIM: Judge, I may have missed it,  
12 but is there any indication what is going to happen, if  
13 anything, with the other docket, the EO, I think,  
14 2004-0577?

15 JUDGE MILLS: It's my understanding -- and  
16 I wasn't there when the Commissioners discussed the  
17 spinoff into this case. It's my understanding that it's  
18 the Commission's intention that this case take over that  
19 case and that that case will simply be closed, and that  
20 anything that may have happened in that case will take  
21 place in this case, and the idea there being that seeing  
22 as how this is an EW case, not a contested case, the  
23 commissioners themselves would have a greater freedom to  
24 participate and get information from the participants. So  
25 that's my intention.

1                   MR. DOTTHEIM: Thank you.

2                   JUDGE MILLS: Mr. Coffman?

3                   MR. COFFMAN: Yes. I think similarly I'd

4 like to ask maybe if you could provide any further

5 clarification about what may then happen in this

6 particular case, the EW-2004-0596. I'm assuming that this

7 would be like other workshop cases where no official

8 decision would be coming forth from the Commission,

9 perhaps some report, and that -- that clarification would

10 help us understand where we go forth as far as scheduling

11 presentations or workshops that involve the Commission.

12                   If there's any possibility of issues being

13 brought to the Commission that are disputed that need to

14 be resolved, that kind of perfects how we might want to go

15 procedurally up until that point.

16                   JUDGE MILLS: If we get to a point in this

17 case in which there are disputed issues that need to be

18 resolved by the Commission, those will have to be brought

19 up in a different case, and any decision by the Commission

20 would be based on a record in that case completely

21 independent of any discussions in this case.

22                   So this case by the -- by definition, a W

23 case can't result in a Commission order because it's --

24 there are no ex parte rules, there are no parties, there

25 are no contested issues. It's designed as information

1 gathering, information exchange, rather than a dispute  
2 resolution or a contested issue resolution case.

3 MR. COFFMAN: Thank you very much.

4 JUDGE MILLS: Does that help?

5 MR. COFFMAN: Yes, it does.

6 MR. FISCHER: Judge, another thing that  
7 would be helpful to us if we knew if there were particular  
8 conflicts that we needed to avoid as far as scheduling  
9 workshops that would be convenient to the Commissioners  
10 and yourself. I think initially we were looking sometime  
11 in the time frame of July 21, that area, in determining an  
12 initial time to make a presentation. And if there's a  
13 better time for the Commissioners and the parties, we'd  
14 like to accommodate to the extent we can all those  
15 conflicts.

16 JUDGE MILLS: And I don't know -- certainly  
17 the internal staff and the adjudication staff has access  
18 to the adjudication calendar which has all the hearings  
19 scheduled on it as well as events like MARC and NARUC when  
20 there may be several commissioners gone, and that's -- if  
21 you ask me what good days -- what good days would be,  
22 that's where I would look. I don't have any more  
23 information than what's there.

24 MR. FISCHER: We've done that. That's  
25 helpful.



1 JUDGE MILLS: Is there anything further we  
2 need to take up while we're on the record?

3 Okay. Hearing nothing, the on-the-record  
4 portion of this prehearing conference is concluded.

5 WHEREUPON, the recorded portion of the  
6 prehearing conference was concluded.

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