

1 STATE OF MISSOURI  
2 PUBLIC SERVICE COMMISSION  
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6 TRANSCRIPT OF PROCEEDINGS  
7 Late Prehearing Conference  
8 October 31, 2005  
9 Jefferson City, Missouri  
Volume 2

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12 In the Matter of the Tariff Filing )  
of Aquila, Inc., to Implement a )  
13 General Rate Increase for Retail )  
Electric Service Provided to ) Case No. ER-2005-0436  
14 Customers in its MPS and L&P )  
Missouri Service Areas )

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KEVIN A. THOMPSON, Presiding,  
17 DEPUTY CHIEF REGULATORY LAW JUDGE.

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22 REPORTED BY:

23 KELLENE K. FEDDERSEN, CSR, RPR, CCR  
MIDWEST LITIGATION SERVICES

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34 Ag Processing, Inc.

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23 FOR: Staff of the Missouri Public  
24 Service Commission.

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

2 JUDGE THOMPSON: Good morning. My name is  
3 Kevin Thompson. I should say Happy Halloween. We are  
4 here for the late prehearing conference in two cases: In  
5 the matter of the tariff filing of Aquila, Inc. to  
6 implement a general rate increase for retail electric  
7 service provided to customers in its MPS and L&P Missouri  
8 service areas, Case No. ER-2005-0436; and the other case  
9 is in the matter of the tariff filing of Aquila, Inc, to  
10 implement a general rate increase for retail steam heat  
11 service provided to customers in its L&P Missouri service  
12 area, Case No. HR-2005-0450.

13 At this time we will take oral entries of  
14 appearance, beginning with Aquila.

15 MR. SWEARENGEN: Thank you, Judge.  
16 James C. Swearengen, Paul Boudreau, Dean Cooper and Janet  
17 Wheeler, Brydon, Swearengen & England, P.C., Jefferson  
18 City, Missouri for Aquila.

19 JUDGE THOMPSON: Very well. Thank you.  
20 We'll turn now to the statutory parties. Staff?

21 MR. WILLIAMS: Dana K. Joyce, Nathan  
22 Williams, Denny Frey, David Meyer, Robert Franson, Lera  
23 Shemwell and Robert S. Berlin, appearing on behalf of  
24 Staff, P.O. Box 360, Jefferson City, Missouri 65102.

25 JUDGE THOMPSON: Thank you. Public

1 Counsel?

2 MR. MILLS: Appearing on behalf of the  
3 Public Counsel and the Public, my name is Lewis Mills. My  
4 address is P.O. Box 2230, Jefferson City, Missouri 65102.

5 JUDGE THOMPSON: Intervenors, we'll start  
6 over here with Mr. Coffman and work our way across the  
7 room.

8 MR. COFFMAN: John B. Coffman appearing on  
9 behalf of AARP. My address is 1623 University Avenue,  
10 Columbia, Missouri 65201.

11 JUDGE THOMPSON: Thank you. Mr. DeFord?

12 MR. DeFORD: Paul DeFord with the law firm  
13 of Lathrop & Gage, 2345 Grand Boulevard, Kansas City,  
14 Missouri 64108, appearing on behalf of Calpine, LP.

15 JUDGE THOMPSON: Very well. Sir?

16 MR. PAULSON: Major Craig Paulson appearing  
17 on behalf of Federal Executive Agencies, 139 Barnes Drive,  
18 Tyndall Air Force Base, Florida.

19 JUDGE THOMPSON: Thank you. Mr. Conrad?

20 MR. CONRAD: Stuart W. Conrad, law firm of  
21 Finnegan, Conrad & Peterson, 3100 Broadway, Suite 1209,  
22 Kansas City, Missouri 64111, appearing on behalf of  
23 Intervenors, SIEUA, which stands for Sedalia Industrial  
24 Energy Users Association, and Ag Processing, Inc.

25 JUDGE THOMPSON: Thank you. Ma'am?

1 MR. SWEARENGEN: I entered her appearance.

2 JUDGE THOMPSON: Okay. I'm sorry.

3 Mr. Keevil?

4 MR. KEEVIL: Yes, Judge. Appearing on  
5 behalf of the Empire District Electric Company,  
6 Jeffrey A. Keevil of the law firm Stewart & Keevil, LLC.  
7 Address is 4603 John Garry Drive, Suite 11, Columbia,  
8 Missouri 65203.

9 JUDGE THOMPSON: Thank you.  
10 Mr. Steinmeier?

11 MR. STEINMEIER: Appearing on behalf of the  
12 City of St. Joseph, Missouri, William D. Steinmeier and  
13 Mary Ann Garr Young, William D. Steinmeier, PC, P.O.  
14 Box 104595 in Jefferson City.

15 JUDGE THOMPSON: Yes, ma'am?

16 MS. WOODS: Appearing on behalf of the  
17 Missouri Department of Natural Resources, Shelley Woods,  
18 Assistant Attorney General, Post Office Box 899, Jefferson  
19 City, Missouri 65102.

20 JUDGE THOMPSON: Thank you. Any other  
21 Intervenor attorneys?

22 (No response.)

23 JUDGE THOMPSON: Very well. I apologize  
24 that the room isn't quite large enough for our purposes  
25 today. We are here for what we call a late prehearing

1 conference, and your primary task during this week will be  
2 to hammer out the remaining contested issues and prepare a  
3 filing of issues for determination by the Commission, and  
4 hopefully work on settling as many of those issues as you  
5 possibly can.

6 Do the parties have anything to bring to my  
7 attention at this time?

8 MR. CONRAD: We were scheduled, Judge, to  
9 go on this I think through Friday.

10 JUDGE THOMPSON: That is correct.

11 MR. CONRAD: I did notice that on Friday  
12 this is set for Room 350, as well as another prehearing,  
13 which will make for an exciting morning. I just wondered  
14 if Staff counsel maybe could intervene at this point and  
15 indicate where we were supposed to -- whether we're  
16 supposed to be here or do you want to talk about that off  
17 the record?

18 JUDGE THOMPSON: No. Let's stay on the  
19 record.

20 Often during these late prehearing  
21 conferences other conference rooms in the building are  
22 used. If there is, in fact, a problem with people being  
23 in two groups in the same place at the same time, we'll  
24 find another room.

25 Anything else?

1 (No response.)

2 JUDGE THOMPSON: Very well. I can see that  
3 this recorded portion of this prehearing conference will  
4 be very short. Hearing nothing, we will conclude the  
5 recorded portion of the prehearing conference. Have fun  
6 this week. I'll be in the building. You'll be able to  
7 track me down if you need to.

8 WHEREUPON, the recorded portion of this  
9 prehearing was concluded.

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