

1 STATE OF MISSOURI
2
3 PUBLIC SERVICE COMMISSION
4 TRANSCRIPT OF PROCEEDINGS
5 Prehearing Conference
6

7 December 8, 2004
8

9 Jefferson City, Missouri

10 Volume 1
11
12

13 In the Matter of the)
Application of Missouri)
14 Gas Energy, a Division)
Of Southern Union Company)Case No. GU-2005-0095
15 For an Accounting Authority)
Order Concerning the Kansas)
16 Property Tax for Gas in)
Storage)
17

18 MORRIS L. WOODRUFF, Presiding
19 SENIOR REGULATORY LAW JUDGE
20

21 REPORTED BY:

22
23 JENNIFER JOHNSON-COOK
MIDWEST LITIGATION SERVICES
714 West High Street
24 Jefferson City, Missouri 65101
(573) 6363-7551
25

1

A-P-P-E-A-R-A-N-C-E-S

2

3

4

5

FOR MISSOURI GAS ENERGY, A DIVISION OF SOUTHERN
UNION COMPANY

6

BRYDON, SWEARENGEN AND ENGLAND P.C.

P.O. Box 456

7

Jefferson City, Missouri 65102

by: Dean L. Cooper, Esq.

8

(573) 635-7166

9

FOR THE OFFICE OF THE PUBLIC COUNSEL AND THE PUBLIC

10

P.O. Box 2230

11

Jefferson City, Missouri 65102

by: Douglas E. Micheel, Esq.

12

(573) 751-3350

13

FOR THE STAFF OF THE MISSOURI PUBLIC SERVICE
COMMISSION

14

15

P.O. Box 360

Jefferson City, Missouri 65102

16

by: Tim Schwarz, Esq.

(573) 751-3350

17

18

PROFESSIONAL SHORTHAND REPORTER:

19

JENNIFER JOHNSON-COOK

20

MIDWEST LITIGATION SERVICES

714 West High Street

21

Jefferson City, Missouri 65101

(573) 636-7551

22

23

24

25

1

2

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

3

4

5

JUDGE WOODRUFF: I show 10:00 o'clock on my watch, so let's go ahead and get started.

6

7

8

9

We're here for a prehearing conference in Case No. GU-2005-0095. Which concerns the application of Missouri Gas Energy for an Accounting Authority Order Concerning Kansas Property Tax for Gas and Storage.

10

11

We'll begin today by taking entires of appearance for MGE.

12

13

14

15

16

MR. COOPER: Dean L. Cooper with the law firm of Brydon, Swearngern and England P.C., P.O. Box 456, Jefferson City, Missouri 65102. Appearing on behalf of Missouri Gas Energy, a Division of Southern Union Company.

17

18

19

JUDGE WOODRUFF: And for Staff.

MR. SCHWARZ: P.O. Box 360, Jefferson City, Missouri 65102, for the Staff.

20

21

22

23

JUDGE WOODRUFF: And for Public Counsel.

MR. MICHEEL: Douglas E. Micheel, appearing on behalf of the Office of the Public Counsel and the Public, P.O. Box 2230, Jefferson City, Missouri 65102.

24

25

JUDGE WOODRUFF: I believe the only other parties are Midwest Gas Users Association. Is

1 Mr. Comrade next door?

2 MR. SCHWARZ: He is in deed, your Honor.

3 JUDGE WOODRUFF: Has anyone talked to him?

4 MR. SCHWARZ: I have not talked to him about
5 this matter.

6 JUDGE WOODRUFF: Okay.

7 MR. COOPER: Could we dismiss him?

8 JUDGE WOODRUFF: I won't dismiss him. And I
9 understand that there is a conflict. As you work on
10 this case, I'm sure you'll keep Mr. Comrade informed and
11 get his input as far as the procedural schedule. And
12 that is the main reason I asked you to come today, is to
13 discuss procedural schedule. And I would ask that you
14 file the -- file the procedural schedule one week from
15 today, which would be the 15th.

16 Is there anything anyone wants to bring up
17 while we're on the record?

18 MR. SCHWARZ: It seems to me, Judge, the
19 bulk of the facts of this case can be stipulated. That
20 is, the nature of the verbiage of the statutes, the
21 timing of it, MGE's tax bill, which I think they should
22 have received by now, and that sort of thing. I don't
23 know that there will be any actual facts in dispute.

24 Certainly I think the hearing is required
25 and the Commission can probe for the parties -- spin on

1 the facts, if you will, whether the facts themselves
2 probably are -- to the stipulation.

3 JUDGE WOODRUFF: Okay. Well, certainly, if
4 the parties can agree on the facts, that will certainly
5 be welcomed by the Commission. We're not going to try
6 to force you to disagree if you don't disagree. And
7 certainly you can take that into account in whatever
8 procedure schedule you wish to propose.

9 Anything else?

10 MR. MICHEEL: I don't believe so, your
11 Honor.

12 JUDGE WOODRUFF: All right. Thank you then.
13 That concludes the on the record portion of the hearing,
14 and the prehearing conference is adjourned. Thank you.

15 (At this time the prehearing conference was
16 concluded)

17

18

19

20

21

22

23

24

25

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25