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PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Conference

November 17, 2011

Jefferson City, Missouri

Volume 1

In The Matter Of KCP&L Greater)
Missouri Operations Company)
For Authority To File Tariffs) File No. HT-2011-0343
Changing The Steam QCA For) Tariff No. YH-2012-0159
Service Provided To Customers In)
Its Service Territory)

DANIEL JORDAN, Presiding,

SENIOR REGULATORY LAW JUDGE

REPORTED BY:

Kristy B. Bradshaw, CCR No. 1269

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P R O C E E D I N G S

JUDGE JORDAN: The Commission calls File No. HT-2011-0343. This concerns a QCA filing of KCP&L Greater Missouri Operations. I'll begin by introducing myself. My name is Daniel Jordan; I'm the senior regulatory law judge assigned to this action.

Also present in the room, I'd like to introduce Mike Bushman, the newest regulatory law judge. And he's here to observe and see how a conference goes.

Next I'll take entries of appearance. Let's start with the utility that filed the tariff.

MR. FISCHER: Judge, let the record reflect the appearance of James M. Fischer and Karl Zobrist. Karl will be participating by telephone today. Our contact information is on the written entries of appearance that I've filed. And also, I have with me today Tim Rush.

JUDGE JORDAN: Thank you. And for Staff?

MS. KLIETHERMES: Thank you, Judge. For Staff, Sarah Kliethermes, Nathan Williams, and John Borgmeyer, 200 Madison Street, Jefferson City, Missouri 65101. And we have John Rogers, Lena Mantle, Leon Bender of Staff available. Thank you.

JUDGE JORDAN: Thank you. And Ag Processing.

MR. CONRAD: Judge, Stuart Conrad and David

1 Woodsmall of the law firm Finnegan Conrad Peterson. I have
2 entered and given the reporter the detail on that. I'd
3 also like to introduce -- you may not know him. I think
4 he's known around the Commission here. Don Johnstone is
5 our consultant on this matter. Thank you.

6 JUDGE JORDAN: Thank you very much. And I
7 think that's everyone. I think that accounts for everyone
8 that's appearing today and present. I will not do my usual
9 procedural speech because we are fortunate to have seasoned
10 counsel on this case.

11 I have called this a conference rather than
12 a prehearing conference because I've scheduled no hearing.
13 And I hope that, if all goes well, we won't require a
14 hearing. We are currently under a procedure -- has someone
15 joined us?

16 MS. NUNN: Yes. Linda Nunn, KCP&L.

17 JUDGE JORDAN: Okay. I'm going to turn up
18 the volume a little bit because you're a little bit faint.
19 Would you repeat that? Would you repeat your
20 identification, please?

21 MS. NUNN: Linda Nunn, KCP&L.

22 JUDGE JORDAN: Oh, thank you very much.
23 We've just started. You haven't missed anything.

24 MS. NUNN: Okay. Thank you.

25 JUDGE JORDAN: The filing of the tariff that

1 initiated this action is not a contested case, just now.
2 And the beauty of the noncontested case procedure is
3 there's no need for a record, no need for findings of fact
4 to support a decision and, indeed, there's no need for a
5 case at all for a Commission to act on a tariff. They can
6 simply allow a tariff to go into effect by operation of
7 law.

8 Staff's recommendation is to the contrary,
9 so I'd like to go through the issues as I understand them
10 so that we have -- make sure I understand where we are at
11 in this. And the parties can certainly chime in as they
12 feel they need to.

13 My understanding is that this action began
14 with a previous action ordering a refund of about
15 \$2.8 million through the QCA; is that correct?

16 MR. ZOBRIST: Judge, on behalf of the
17 company, I'm not sure that's entirely accurate. That is
18 certainly the predicate for the issue before you at this
19 time, but as I think Mr. Rush can explain, this is part of
20 the standard QCA quarterly cost adjustment process.

21 And this was the tariff that was required to
22 be filed on a quarterly basis. But clearly the Report and
23 Order on Mr. Conrad's complaint case is the basis for the
24 disagreement here.

25 MS. KLIETHERMES: And, Judge, Staff would

1 agree with that.

2 JUDGE JORDAN: Okay. Thank you for that
3 helpful characterization. I think I understand that a QCA
4 is subject to a periodic tariff filing. The issue here is
5 a refund ordered in the prior case.

6 MR. FISCHER: Judge, could I have Mr. Rush
7 explain a little bit more the technicalities. There's a
8 periodic filing every quarter, and that was what initiated
9 the case. But as a part of the process, we had the Order
10 come in and Mr. Conrad's complaint case. I think the
11 difference is, how is the refund being treated under the
12 QCA? But if I could ask Mr. Rush just to put a little bit
13 on the record, that would be great.

14 MR. RUSH: I think you clarified.

15 MR. FISCHER: Okay.

16 JUDGE JORDAN: Very good. Now, if I
17 remember this correctly, the tariff was filed before the
18 time for an application for rehearing was up. Rehearing
19 was still pending when this tariff was filed. After it was
20 filed, then application for rehearing was denied. I think
21 that the sequence that we dealt with in this.

22 Anyway, I think the -- if I understand what
23 the parties are disputing here, it seems mostly to do with
24 the refund, the timing of it, and also Ag Processing has
25 raised the issue of interest as well. I've read

1 propositions that the refund should be over the period of
2 30 months or 12 months or maybe a single day, write a check
3 for the whole amount. Does anyone want to add to those
4 issues before we go on?

5 MR. ZOBRIST: Judge, I think that's
6 generally correct. Staff's -- the basis of their
7 rejection, apparently, is that they feel the amount should
8 be flowed back over 12 months.

9 We had a number of points that we raised on
10 behalf of the company, you know, a number of legal and
11 factual points. But the major factual point was that these
12 amounts in dispute were collected, pursuant to the QCA,
13 over a period of 30 months. And we felt that if there were
14 any refunds, once there is a final nonappeal of a judgment,
15 presumably against the company, that would be the time
16 period.

17 But generally, you've outlined them
18 correctly and I believe Mr. Conrad, in his pleading filed
19 yesterday, requested a lump sum plus interest.

20 MS. KLIETHERMES: And, Judge --

21 MR. CONRAD: I started here, so just to
22 correct, a couple of times it's been referred to as
23 Mr. Conrad's complaint. While I'm not necessarily averse
24 to that characterization, I am not a Steam customer. It is
25 the complaint that was brought by me on behalf of a client,

1 Ag Processing. And I don't really object to the company
2 referring to it as my complaint, but it is technically not
3 my complaint.

4 The only complaint that we have raised there
5 is essentially to -- in large measure, I think, to agree
6 with Staff, but suggest that the opportunity is present in
7 the tariff for the Commission to order some other
8 treatment.

9 And since that kind of opens the door, one
10 of the things that the company had suggested -- although
11 this is one step beyond -- was that there was some problem
12 about refunding to different people and the checks, taking
13 care of that. So that's a simple matter.

14 The company's had this money for some period
15 of time. The tariff does not expressively provide for
16 interest, but this is, in some part, an atypical case. And
17 I can understand the company's arguments, but we obviously
18 don't agree with them. The Steam customers paid the money
19 in. It's been sitting in the company's treasury for some
20 time, being used by them for the conduct of their business,
21 presumably, and it's time now to get the money back.

22 JUDGE JORDAN: Thank you, counselor. Staff?

23 MS. KLIETHERMES: Judge, to follow up on
24 Mr. Conrad's -- kind of the middle of the three points he
25 made there. And he did -- Mr. Conrad did indicate this in

1 his earlier pleading in this case. The QCA tariff itself,
2 we have Paragraph 4 on Sheet 6.9, which seems to indicate
3 that adjustments, unless otherwise ordered, are simply
4 thrown back through the QCA.

5 And that is exactly what Staff is attempting
6 to do because Staff read the report and Order, for which
7 rehearing was denied. It just simply states that, GMO
8 shall refund to its Steam customers, through operation of
9 the QCA, the net cost of operating, et cetera.

10 JUDGE JORDAN: Okay. Thank you.

11 MR. CONRAD: And beyond that, Judge, let me
12 just supplement my correction. It was pointed out to me
13 that I have used the term and the term has been used that
14 it was a "rate case." It is a prudence review. I mean, it
15 was docketed as an HC case, but --

16 JUDGE JORDAN: Right. It has the prefix
17 HC being --

18 MR. CONRAD: Yeah. It's actually a prudence
19 review.

20 JUDGE JORDAN: Thank you for that
21 clarification. And I have one other matter that I wanted
22 to ask about. The filings indicate the possibility of an
23 appeal. I checked EFIS this morning. I did not see the
24 previous case, the HC case, that was subject to a notice of
25 appeal. Is there something that I missed as to that?

1 MR. ZOBRIST: No. That's correct, Judge.

2 It is imminent. That will be filed probably within a week.

3 JUDGE JORDAN: Okay.

4 MS. KLIETHERMES: Well, Judge, I would just
5 suggest, given that, that it's even more clear that the
6 company's filings in this case constitute a collateral
7 attack on the Commission's Order in that HC docket. And as
8 the company has repeatedly stated in pleadings that Staff
9 has not responded to the company's allegations concerning
10 the timing of this refund and the effect of that refund,
11 and that's simply because we think the Commission handled
12 it quite well in denying the application for a hearing in
13 the HC case.

14 JUDGE JORDAN: Thank you. I believe this
15 tariff bears an effective date two days from today; is that
16 correct? Two weeks -- I said two days; I meant two weeks.

17 MS. KLIETHERMES: December 1st.

18 JUDGE JORDAN: So I am pretty confident that
19 everyone here is in close contact with their client and has
20 an idea of what they feel they need and want out of this
21 action. So I will leave the parties to constructive
22 discussions. This room is available to you for the rest of
23 the day. I am available also for the rest of the day, if
24 need be.

25 And should you -- should the parties believe

1 that facilitation of these discussion could be helpful, the
2 Commission does offer mediation services. Does anyone have
3 any other matters, particularly procedural matters --

4 MS. KLIETHERMES: Judge --

5 JUDGE JORDAN: -- before we go off the
6 record and I leave the room?

7 MS. KLIETHERMES: I do. You raised earlier
8 the idea of a hearing. And I guess that's just not
9 something Staff had contemplated. The QCA operates
10 pursuant to a formula. It's a rather complex formula.
11 It's rather driven by timing. I think that throwing off --
12 you know, unless something could be resolved, filed, and
13 approved prior to December 1st, it would almost certainly
14 throw off the timing of the QCA.

15 I wouldn't say I'm suggesting this, but just
16 so the Commission is aware, if a hearing is what the
17 Commission seeks, it would probably be most appropriate to
18 let this tariff that's pending, without the refund, go into
19 effect December 1st, either by order or operation of law so
20 that the timing isn't thrown off. And then take up any
21 disputes in the next QCA.

22 Again, as Staff interprets the Order, we
23 think it's most appropriate to simply implement the refund
24 in this QCA as was ordered in the HC docket.

25 JUDGE JORDAN: I appreciate your mentioning

1 that. Should the Commission decide that a -- follow
2 Staff's recommendation and require -- well, that's why I
3 raised the issue of the effective date, so I appreciate you
4 mentioning that. Is there anything else that anyone would
5 like to raise?

6 MR. CONRAD: Well, just not to leave that
7 unanswered, I don't -- we don't think it would be correct
8 to perpetuate the problem. We have an Order from the
9 Commission. An Order from the Commission, unless it is
10 stayed by the Commission, which has not -- has not been
11 done, the time, therefore, has run -- is an effective
12 Order.

13 So the Commission needs to respect its own
14 orders. And I think that's the very point that Staff
15 makes, with which we agree. I'm not sure that the problem
16 is solved by kicking the can down the road.

17 MS. KLIETHERMES: And to be clear, Staff is
18 not suggesting delaying the refund until the next QCA.
19 Simply to -- that if the Commission decides to go the route
20 of a hearing, that it needs to go ahead and implement this
21 QCA period adjustment in the meantime. Although, we do
22 recommend that we simply proceed as recommended in the
23 Staff recommendation filed earlier this month.

24 JUDGE JORDAN: Okay. If we follow Staff's
25 recommendation though and if the Commission decides that a

1 refund should be part of this tariff, that will require the
2 filing of a new tariff, will it not?

3 MS. KLIETHERMES: Yes, it will.

4 JUDGE JORDAN: Okay. Well, here's what I'd
5 like Staff to do. At the close of the discussion today,
6 I'd Staff to prepare a brief report, a paragraph or so, to
7 give me an idea of where the parties are with respect to
8 settling this matter without Commission hearing and
9 decision. Of course, I expect you to not get into details
10 of negotiation.

11 Yes, counselor?

12 MR. WILLIAMS: Judge, it may be that the
13 discussions are very short. I don't know. I think we
14 could find that out pretty quickly among the parties, but I
15 anticipate the likelihood of a resolution coming out of
16 meeting today to be rather highly unlikely. Perhaps you
17 just want to keep the court reporter around for ten minutes
18 or so, and see if we make a report then as opposed to
19 filing some written report later?

20 JUDGE JORDAN: Well, I'll tell you what: I
21 can come back in ten minutes, and you can tell me and we
22 can do that on the record.

23 MR. WILLIAMS: I think that might be worth
24 doing.

25 JUDGE JORDAN: Well, unless there's anything

1 else then, we'll go off the record for about ten minutes,
2 and then we'll resume this conference. Anything else?

3 Okay. Thank you. We'll go off the record.

4 (Off the record.)

5 JUDGE JORDAN: Let's go on the record.

6 MS. KLIETHERMES: Judge, I think that
7 proceeding as Staff suggests does not require an
8 evidentiary hearing because nothing contained in GMO's
9 responses to Staff's recommendation and other pleadings
10 filed is different from or in any way adds to what they
11 have filed already in the HC docket, to the extent it is
12 different or greater.

13 I think that's a collateral attack on the
14 Commission's Report and Order and applications denying the
15 hearing in that docket. In effect, GMO's had their bite at
16 the apple, applied for rehearing, and now they're seeking
17 additional relief in an improper venue.

18 JUDGE JORDAN: Okay. My question has to do
19 with -- first, let me make sure I understand what you're
20 saying. You're saying that everything that GMO has raised
21 in its response to Staff's recommendation has already been
22 determined in the previous HC case; is that correct?

23 MS. KLIETHERMES: Yes.

24 JUDGE JORDAN: Okay. Here's my question,
25 because that was not my case: Did the subject of the

1 period of the refund come up? That is, whether it should
2 be 12 months, 30 months, or a single day?

3 MR. ZOBRIST: Absolutely not.

4 MS. KLIETHERMES: Judge, if I may respond to
5 that?

6 JUDGE JORDAN: Please do.

7 MS. KLIETHERMES: I was not on that case
8 either. However, I did listen to the Commission's agenda
9 sessions on that case and it's my understanding that the
10 Commission considered at those agenda sessions, taking up
11 on rehearing, the issue of the refund, specifically the
12 timing.

13 These discussions were after GMO had filed
14 their responses to Staff's recommendation in this docket,
15 and the Commission decided not to take up that application
16 for rehearing. It was specifically raised, whether the
17 Commission should rehear the refund issues and the length
18 of time, and the Commission decided no.

19 JUDGE JORDAN: Okay. So what you're telling
20 me is that in the application for rehearing, the issue of
21 the period for refund came up, the Commission decided not
22 to make a determination on that. Is that what you're
23 telling me?

24 MS. KLIETHERMES: I can't speak specifically
25 to what was contained in the application for rehearing, but

1 I believe it was though. I haven't confirmed that. I can
2 say that Commissioner Davis specifically brought up the
3 issue of the timing. The Commissioners discussed bringing
4 it up on the issue of the timing, and the Commissioners
5 decided not to bring it up on the issue of the timing.

6 JUDGE JORDAN: Okay. Mr. Williams, do you
7 have any more familiarity with the case?

8 MR. WILLIAMS: No. I don't, but certainly
9 GMO had the opportunity to raise the issue of timing in the
10 prudence review in terms of what would happen to monies
11 belonging to --

12 MR. ZOBRIST: Well, Judge, the application
13 for rehearing, among other things, said that it was the
14 measure of damages that was not properly calculated, and
15 there were a lot of arguments back and forth about that.
16 But there was nothing about how any amount would flow back,
17 over what period of time through the QCA.

18 JUDGE JORDAN: Thank you, counselor. And
19 was there anything more from Staff on that?

20 MR. WILLIAMS: All I would reiterate is that
21 the company had the opportunity to raise the issue about
22 how any amount that was found to be imprudent would be
23 returned to customers or how it would be handled.

24 JUDGE JORDAN: Okay.

25 MS. KLIETHERMES: And if I might follow up

1 on Mr. Zobrist's comment, notwithstanding that the length
2 of time was not explicitly addressed in GMO's application
3 for rehearing, the Commissioners did explicitly address
4 that point in their discussion of the application for
5 rehearing.

6 JUDGE JORDAN: Well, as a recent Commission
7 decisions have discussed, finality is something of a
8 mystery at the Commission. It's often an issue, finality
9 of decisions.

10 Let me also, while we're on the record,
11 clarify my understanding of what Staff is suggesting.
12 Should the Commission determine that an evidentiary hearing
13 is a good idea in this case, Staff would, in response to
14 that, change its recommendation to say, Let currently filed
15 tariff go into effect and then take up the period of refund
16 in separate action. Is that what Staff suggests?

17 MS. KLIETHERMES: Not exactly, Judge. The
18 operation of the QCA is very much driven by formula.
19 There's a divisor of twelve relating to billing month
20 determinants. Changing -- it's important that new QCAs --
21 or I'm sorry -- that CQCA's that affect on the predetermined
22 three-month intervals. Staff is simply suggesting that
23 those intervals not be varied.

24 I think that it could also work to keep the
25 currently effective CQCA rate in effect until the next CQCA

1 comes up, and I believe that would be March.

2 MR. WILLIAMS: Judge, I don't know how
3 familiar you are with the quarterly cost adjustment rider.
4 It's an analogous to a fuel adjustment clause.

5 JUDGE JORDAN: Staff's preference is -- so
6 what Staff's worried about is --

7 MS. KLIETHERMES: Staff doesn't want --
8 Staff would prefer the Commission not act in a way that
9 would throw off the three-month timing of the QCA.

10 JUDGE JORDAN: So effective date is what
11 Staff is worried about.

12 MS. KLIETHERMES: Yes.

13 JUDGE JORDAN: Okay.

14 MR. WILLIAMS: Judge, also you mentioned,
15 off the record, that the company had raised the concern
16 about the steam operations and the impact of having to
17 refund the dollar amount that's involved here, what impact
18 that would have on the company. I point out that steam is
19 not the only operation that GMO has. It has electric
20 operations. It has plenty of revenues from those.

21 I think the Commission should be looking
22 at -- if looking at impacts at all, it should be looking at
23 them on the company itself, not on a particular utility
24 operation of that company.

25 JUDGE JORDAN: My concern is the basis on

1 which -- if we can focus on the period of the refund,
2 assuming that we're -- because that seems to be the only
3 major issue: On what basis -- what basis the Commission
4 would have for picking a period of such refund, if it were
5 to do that.

6 MS. KLIETHERMES: The QCA tariff states it.

7 JUDGE JORDAN: Right. But I have other
8 suggestions. I have the suggestions of 1 day, I have
9 12 months, and I also have a suggestion of 30 months.

10 MS. KLIETHERMES: And if I may respectfully
11 point out why the 1 day and the 36 month are wrong,
12 Paragraph 4 of Sheet 6.9 simply states, effectively, that
13 the refund amount gets put into the -- what's the term?

14 MR. WILLIAMS: Reconciliation.

15 MS. KLIETHERMES: Reconciliation account.
16 That reconciliation account is what the normal QCA function
17 uses, which is set up over 12 months.

18 MR. ZOBRIST: And, Judge, the only point, as
19 I think you understand, the company makes is that we're not
20 dealing just with the previous QCA. We're dealing with
21 seven prior QCAs. And that's why we are talking about
22 30 months as opposed to 12.

23 JUDGE JORDAN: And that's the way I
24 understood the QCAs to work. They all seem to be sort of
25 interlocking.

1 MS. KLIETHERMES: But this paragraph of the
2 QCA states that any refund gets dumped into this
3 reconciliation account, absent a specific Commission order
4 otherwise.

5 Staff's position is that the appropriate
6 place for that Commission order would have been in the HC
7 docket. The HC docket simply said to refund it through the
8 QCA, so Staff's reading of that Order is that it's refunded
9 through the QCA through the normal operation of that QCA.

10 JUDGE JORDAN: Okay. And for the record can
11 you read into the record the tariff number and the page
12 that you're citing?

13 MS. KLIETHERMES: This is PSC MO No. 1.
14 Original Sheet 6.9. of KCP&L Greater Missouri Operations
15 Company. Paragraphs 4 and 9 would be the most pertinent.

16 JUDGE JORDAN: Okay. Thank you. I've
17 heard a lot from Staff. Can I hear from the utility now?
18 Anything that you would like to tell me?

19 MR. FISCHER: Mr. Zobrist, would you like to
20 close?

21 MR. ZOBRIST: Well, I mean, I think that the
22 proper argument is that the tariff itself contemplates that
23 cost flow over periods of time reflective of the prior
24 quarter, and in this case we're dealing with seven prior
25 quarters. And because the Commission did not order an

1 immediate QCA refund, it said it would flow through the
2 QCA.

3 Our point is, costs that were passed on to
4 customers through seven QCAs, over 30 months, should
5 therefore flow back in the same manner. It's a very simple
6 argument.

7 The other overriding point is that because,
8 you know, we intend to take this up on appeal, this case is
9 not -- it's not the subject of a final nonappealable
10 judgment, it would premature at this point to order
11 anything other than the tariff filed by the company to go
12 into effect.

13 JUDGE JORDAN: Okay. Anything from Ag
14 Processing?

15 MR. CONRAD: Well, we -- I appreciate the
16 desire to be solicitous about the company. I guess I'd
17 like to raise the concern about the customer because this
18 is the Public Service Commission, and it's intended not to
19 exclusively look at the interest of the company, but also
20 to try to balance those interests.

21 The tariff is what it is. Mr. Zobrist wants
22 to string it out, but there is not provision that he could
23 cite in the tariff that permits that. I've made it plain
24 that the endorsement that we have of the Staff's proposal,
25 which is to put it into the reconciliation process, is

1 appropriate.

2 We did raise, since the opportunity
3 presented itself, the issues of interest. And then the
4 company seemed to want to raise, Judge, the issue that,
5 Well, we would somehow be paying back to the wrong people,
6 and that's a simple -- that's a simple question too.
7 That's very simple. Figure out who paid what, and you
8 either give them a check or use that as a basis.

9 But, in any event, I think that we have here
10 is an Order from the Commission on a prudence review.
11 Rehearing was sought; rehearing was denied. Without regard
12 to your comments about what finality is, that Order now
13 binds the Commission. The Commission, in that Order, said,
14 Put it back through the QCA. That's making a reference to
15 the tariff, not to some 30-month period for which GMO can
16 cite nothing in the tariff.

17 If GMO wants to appeal, that's fine. The
18 rule however is -- and the statute is that when the
19 Commission issues an Order -- absent a stay issued by the
20 Commission, which was not sought here, or a stay issued by
21 a court, which has not yet been sought -- the Commission's
22 Order controls.

23 And that's what Staff's working on and we
24 rather agree with that and put these other things on the
25 table if it's going to be considered. If it's not, then

1 there is not basis, again, to kick this can further down
2 the road.

3 The customers have paid. Mr. Zobrist wants
4 to make the argument they've paid over 30 months. Well,
5 okay, fine. Let's get the money back to them. The
6 company's not the only party here and it's not the only
7 party that has an interest in this proceeding. The Steam
8 customers too have an interest and they have paid these
9 monies in. The company has sat on those monies. They have
10 used them. They have benefited from them.

11 And let me make one final point: The
12 company in its pleading acknowledged that it is now turning
13 a fairly substantial profit. In its pleading it
14 acknowledged -- the very pleading that you made a reference
15 to. The prior period in which they were losing money, they
16 bought a company. They bought Aquila.

17 They knew what they were buying and there
18 was an ample record in the proceeding below that's been
19 referred to as the HC, that they acknowledged -- Mr. Rush
20 acknowledged that they did not do due diligence as to the
21 Steam operation. So they're stuck with that. They bought
22 what they bought and that's too bad. But it's time now for
23 the customers to be made whole.

24 JUDGE JORDAN: Anything else before we wrap
25 up this conference?

1 MR. WILLIAMS: Well, since it's turned into
2 oral argument, I'd point out that what we have is a
3 situation where the Commission has found that the company
4 imprudently collected costs -- recovered costs from its
5 customers. That it did so over 30 months, I don't see how
6 that justifies delaying returning those funds to those
7 customers.

8 JUDGE JORDAN: Anything else before we
9 adjourn? Not hearing anything, we will go off the record.
10 Thank you very much.

11 (Off the record.)
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1 CERTIFICATE OF REPORTER

2
3 I, Kristy Bradshaw, CCR No. 1269, within the State
4 of Missouri, do hereby certify that the testimony
5 appearing in the foregoing matter was taken by me to the
6 best of my ability and thereafter reduced to typewriting
7 under my direction; that I am neither counsel for, related
8 to, nor employed by any of the parties to the action in
9 which this hearing was taken, and further, that I am not a
10 relative or employee of any attorney or counsel employed
11 by the parties thereto, nor financially or otherwise
12 interested in the outcome of the action.

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