

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS
Prehearing Conference

NOVEMBER 9, 2009
Jefferson City, Missouri
Volume 1

In the Matter of Lake)
Region Water & Sewer)
Company's Application)
to Implement a General) File No. SR-2010-0110
Rate Increase in Water) and WR-2010-0111
and Sewer Service)

HAROLD STEARLEY, Presiding,
SENIOR REGULATORY LAW JUDGE

REPORTED BY:
Pamela Fick, RMR, RPR, MO CCR #447
Midwest Litigation Services

1 APPEARANCES

2 MARK W. COMLEY, Attorney at Law
3 Newman, Comley & Ruth
4 601 Monroe, Suite 301
5 P.O. Box 537
6 Jefferson City, MO 65102
7 (573)634-2266
8 comley@ncrpc.com

9 FOR: Lake Region Water & Sewer Company.

10
11
12 CRAIG JOHNSON, Attorney at Law
13 BERRY WILSON, LLC
14 304 East High
15 Jefferson City, Missouri 65102
16 (573) 638-7272

17 FOR: Four Seasons Racket & Country Club
18 Condominium Property Owners
19 Association, Incorporated.

20
21
22 LISA C. LANGENECKERT, Attorney at Law
23 Sandberg, Phoenix & von Gontard
24 One City Centre, 15th Floor
25 515 North 6th Street
St. Louis, Missouri 63101-1880
(314)641-5158

FOR: Four Seasons Lakeside Property
Owners Association, Incorporated.

CHRISTINA BAKER, Senior Public Counsel
P.O. Box 2230
200 Madison Street, Suite 650
Jefferson City, MO 65102-2230
(573)751-4857

FOR: Office of the Public Counsel
and the Public.

JAIME OTT, Legal Counsel
P.O. Box 360
200 Madison Street
Jefferson City, MO 65102
(573)751-3234

FOR: Staff of the Missouri Public
Service Commission.

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

2 JUDGE STEARLEY: All right. Good
3 morning. It's Monday, November 9th, 2009. We are
4 here for a prehearing conference in the matter of
5 Lake Region Water & Sewer Company's Application to
6 Implement a General Rate Increase in Water and Sewer
7 Service, which are File Nos. SR-2010-0110 and
8 WR-2010-0111.

9 My name is Harold Stearley and I'm the
10 presiding officer in this matter. The court reporter
11 this morning is Pam Fick. And we will begin by
12 taking entries of appearance, beginning with Lake
13 Region Water & Sewer Company.

14 MR. COMLEY: On behalf of Lake Region
15 Water & Sewer Company, let the record reflect the
16 entry of appearance of Mark W. Comley, Newman, Comley
17 & Ruth. Our business address is on the written entry
18 that I have previously given to Ms. Fick this
19 morning.

20 JUDGE STEARLEY: Thank you, Mr. Comley.
21 For Four Seasons Racket & Country Club Condominium
22 Property Owners Association, Incorporated.

23 MR. JOHNSON: Thank you, Judge. It's
24 Craig Johnson, Berry Wilson, LLC, 304 East High,
25 Jefferson City, Missouri.

1 JUDGE STEARLEY: Okay. Thank you,
2 Mr. Johnson. For Four Seasons Lakeside Property
3 Owners Association, Incorporated.

4 MS. LANGENECKERT: Good morning, Judge
5 and everyone. My name is Lisa Langeneckert. And I
6 will spell that for the court reporter. It's
7 L-a-n-g-e-n-e-c-k-e-r-t. I am with the law firm of
8 Sandberg, S-a-n-d-b-e-r-g, Phoenix, like the city in
9 Arizona, & von Gontard, v-o-n, G-o-n-t-a-r-d, One
10 City Centre, Suite 1500, St. Louis, Missouri 63131.

11 JUDGE STEARLEY: All right. Thank you,
12 Ms. Langeneckert. For the Office of the Public
13 Counsel.

14 MS. BAKER: Thank you. Christina Baker,
15 P.O. Box 2230, Jefferson City, Missouri 65102,
16 appearing on behalf of the Office of the Public
17 Counsel and the ratepayers.

18 JUDGE STEARLEY: Thank you, Ms. Baker.
19 And for the Staff of the Missouri Public Service
20 Commission.

21 MS. OTT: For the Staff, it's Jaime Ott,
22 P.O. Box 360, Jefferson City, Missouri 65102.

23 JUDGE STEARLEY: All right. Are there
24 any matters that we need to take up at this time?

25 MR. COMLEY: I know of none.

1 JUDGE STEARLEY: All right. As of right
2 now we have a deadline for the procedural schedule of
3 November 16th, and I believe the parties are gonna
4 respond at that time also regarding test year period
5 and true-up.

6 When the parties file their procedural
7 schedule -- oh, I also made note that I believe the
8 parties were contemplating advancing the hearing date
9 that we have originally set in that suspension order;
10 is that correct?

11 MS. OTT: Yes.

12 JUDGE STEARLEY: March 29th to April
13 2nd. Have I got that correct?

14 MS. OTT: Yes.

15 MR. COMLEY: Yes.

16 MS. BAKER: No one's run that by Public
17 Counsel, so I don't know about that date.

18 MS. OTT: That's on the schedule that I
19 sent you.

20 MS. BAKER: Okay.

21 MS. OTT: It will be discussed today.

22 MS. BAKER: Uh-huh.

23 JUDGE STEARLEY: All right. Well, we
24 can --

25 MS. BAKER: Right. I saw that as

1 tentative dates, not a set date.

2 JUDGE STEARLEY: We can further discuss
3 that on the prior procedural schedule. You can let
4 them know if those are the dates that you received.

5 MS. BAKER: Thank you.

6 JUDGE STEARLEY: We already have some
7 prefiled direct testimony in this case, so I'm
8 assuming we're gonna move to hearing if we're going
9 to give prefiled testimony from the other parties.
10 And along with the procedural schedule, I'd like
11 you-all to include probably on the date that you filed
12 rebuttal testimony or shortly thereafter a stipulation
13 as to all material facts that are not in dispute.

14 MS. BAKER: And when did you want the
15 stipulation filed again?

16 JUDGE STEARLEY: Either somewhere -- the
17 same date or shortly thereafter the filing of any
18 rebuttal or surrebuttal testimony. You may want to
19 wait for surrebuttal. And I believe that's all I
20 have. So if the parties don't have any other
21 questions for me, hearing none, we'll go ahead and
22 conclude the record portion of this and I'll leave
23 you-all to your discussions. Thank you all very much.

24 (WHEREUPON, the recorded portion of the
25 prehearing conference was concluded.)