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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

Prehearing Conference

September 23, 2014  
Jefferson City, Missouri  
Volume 1

The Staff of the Missouri Public  
Service Commission,

Complainant,

vs. Case No. WC-2015-0011

Ridge Creek Development, LLC,  
Mike Stoner and Denise Stoner,

Respondent.

JUDGE KENNARD L. JONES, Presiding  
SENIOR REGULATORY LAW JUDGE

REPORTED BY: Monnie S. Mealy, CCR, CSR, RPR  
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1 P R O C E E D I N G S

2 JUDGE JONES: We'll go on the record.

3 This is Case No. WC-2015-0011, Staff of the Public  
4 Service Commission versus Ridge Creek Development,  
5 LLC, Mike Stoner and Denise Stoner. At this time,  
6 we'll take entries of appearance, beginning with  
7 Staff.

8 MR. THOMPSON: Kevin Thompson for the  
9 Staff of the Missouri Public Service Commission,  
10 Post Office Box 360, Jefferson City, Missouri,  
11 65102.

12 JUDGE JONES: And Respondents?

13 MR. COMLEY: Appearing on behalf of Ridge  
14 Creek Development, LLC, and Mike Stoner and his  
15 wife, Denise Stoner, the record should reflect the  
16 entry of Mark W. Comley of Newman, Comley & Ruth,  
17 601 Monroe Street, Suite 301, Jefferson City,  
18 Missouri.

19 JUDGE JONES: And the Office of Public  
20 Counsel?

21 MR. POSTON: Marc Poston, appearing for  
22 the Office of Public Counsel, P.O. Box 2230,  
23 Jefferson City, Missouri, 65102.

24 JUDGE JONES: Okay. Well, I'm going to  
25 give you all plenty of time to figure this out here

1 in just a minute. But I'll also take a couple of  
2 minutes -- if it looks like the argument is legal  
3 and factual -- any factual disputes as far as  
4 anyone knows?

5 MR. THOMPSON: Well, we say they're  
6 selling water without a license.

7 THE COURT: Okay.

8 MR. THOMPSON: It could be factual  
9 depending on how they try to wiggle out of it.

10 JUDGE JONES: Yeah. And, Mr. Comely,  
11 you're saying that they don't need a license?

12 MR. COMLEY: Our contention is they're not  
13 violating the Public Service Commission law, and  
14 that's how we framed our answer. So --

15 JUDGE JONES: Okay. It looks like you all  
16 will have to figure that out. Mr. Poston, how do  
17 you --

18 MR. POSTON: We haven't taken a position  
19 on this.

20 JUDGE JONES: Now, I know DNR is talked  
21 about in the Pleadings. Is DNR a necessary party?

22 MR. THOMPSON: I don't think so.

23 JUDGE JONES: Should we send notice to  
24 them? Do they even know this is going on?

25 MR. THOMPSON: Not so far as I know.

1 JUDGE JONES: Should we notify them?

2 MR. THOMPSON: Why not? Can't hurt.

3 JUDGE JONES: How do you feel about it?

4 MR. POSTON: I'm indifferent.

5 JUDGE JONES: We'll wait and see what

6 happens as a result of this prehearing conference.

7 And if, during your conversation, you realize that

8 there aren't any factual disputes, then a Statement

9 of Facts will be in order. If not, then we proceed

10 to hearing.

11 Is there anything I can help you all with

12 up to this point? It's going to be cold out soon,

13 and we don't want to be driving around and going to

14 hearings and stuff.

15 MR. THOMPSON: I don't have to leave the

16 building for hearings. It's just right here.

17 JUDGE JONES: Well, try to work it out.

18 See if you all can get on common ground.

19 MR. COMLEY: All right.

20 JUDGE JONES: And let me know, Mr.

21 Thompson, what the result of this hearing is.

22 Okay?

23 MR. THOMPSON: Yes, sir.

24 JUDGE JONES: All right. Thanks.

25 MR. THOMPSON: Do you want a procedural

1 schedule in a week?

2 JUDGE JONES: I mean, if that's necessary  
3 we can do a procedural schedule. I think in this  
4 case, if do you a procedural schedule, pre-hearing  
5 briefs would be in order --

6 MR. THOMPSON: Okay.

7 JUDGE JONES: -- rather than post. Not  
8 unless -- I mean, if of you all agree other than  
9 what I've said. I'm not going to pose all the  
10 parties on what they want to do if you even want to  
11 resolve it. And I don't think there will be any  
12 pre-filed testimony necessary.

13 MR. THOMPSON: Okay.

14 JUDGE JONES: I don't know. But I'm  
15 thinking there won't be. Let's see.

16 MR. COMLEY: I don't think it's out of the  
17 question to expect the parties to come up with a  
18 stipulation, if necessary, and the case could be  
19 submitted to the Commission on that. But that --

20 JUDGE JONES: That would be fine.

21 MR. COMLEY: Again, there are some other  
22 elements that I want to talk with the Staff and the  
23 Public Counsel about. And --

24 JUDGE JONES: All right. Well, whatever  
25 happens as a result of this, you can just e-mail me

1     formally, but copy the other parties whatever you  
2     want to do.

3             MR. THOMPSON: All right.

4             JUDGE JONES: Okay? Anything else?

5             MR. THOMPSON: No, sir.

6             JUDGE JONES: All right. Have a good  
7     time. I mean, thanks. We're off the record.

8             (The proceedings were concluded at 9:05 a.m. on  
9     September 23, 2014.)

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1 REPORTER'S CERTIFICATE

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3 STATE OF MISSOURI )

) ss.

4 COUNTY OF OSAGE)

5

6 I, Monnie S. Mealy, Certified Shorthand Reporter,  
7 Certified Court Reporter #0538, and Registered Professional  
8 Reporter, within and for the State of Missouri, do hereby  
9 certify that I was personally present at the proceedings as  
10 set forth in the caption sheet hereof; that I then and there  
11 took down in stenotype the proceedings had at said time and  
12 was thereafter transcribed by me, and is fully and accurately  
13 set forth in the preceding pages.

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20 Monnie S. Mealy, CSR, CCR #0538

21

Registered Professional Reporter

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24

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