

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

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

DORA M.)	
MIDDLETON,)	
)	
)	
Complainant,)	
)	
vs.)	File No. EC-2018-0076
)	
)	
UNION ELECTRIC)	
COMPANY d/b/a)	
AMEREN MISSOURI,)	
)	
)	
Respondent.)	

PREHEARING CONFERENCE
TAKEN BEFORE JOHN T. CLARK
REGULATORY LAW JUDGE

JANUARY 24, 2018

REPORTED BY STACY L. HEARST, CCR 923

PRIMO REPORTING
P.O. Box 31698
St. Louis, MO 63131
314-481-8616

ORIGINAL

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

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

DORA M. MIDDLETON,)
)
Complainant,)
)
vs.) File No. EC-2018-0076
)
UNION ELECTRIC)
COMPANY d/b/a)
AMEREN MISSOURI,)
)
Respondent.)

DEPOSITION OF PREHEARING

CONFERENCE, produced, sworn, and examined on
January 24, 2018, between the hours of 8 o'clock
in the forenoon and 6 o'clock in the afternoon
of that day in Room 209 of Spencer Road Library,
427 Spencer Road, St. Peters, Missouri, before
Stacy L. Hearst, a Certified Court Reporter in
and for the State of Missouri in a cause now
pending before the Public Service Commission of
the State of Missouri between DORA M. MIDDLETON,
Complainant, versus UNION ELECTRIC COMPANY d/b/a
AMEREN MISSOURI, Respondent.

A P P E A R A N C E S

1
2
3 REGULATORY LAW JUDGE:
4 John T. Clark, Esq.

5 Jefferson City, MO 65102

6
7 ATTORNEY FOR AMEREN MISSOURI:
8 Smith Lewis LLP
9 Sarah E. Giboney, Esq.
10 111 S. Ninth Street, Suite 200
11 Columbia, MO 65205

12
13 AMEREN MISSOURI CORPORATE REPRESENTATIVE:
14 Aubrey Krcmar
15 101 Madison
16 Jefferson City, MO 65102

17
18 FOR THE MO PUBLIC SERVICE COMMISSION:
19 Associate Staff Counsel
20 Marcella Forck, Esq.
21 200 Madison Street
22 P.O. Box 360
23 Jefferson City, MO 65102
24
25

PROCEEDINGS

1
2
3 JUDGE CLARK: We will go on the
4 record now. The date is January the 24th, 2018
5 and the current time is 10:27 a.m. We are in
6 room 209 at the Spencer Road Library Branch in
7 St. Peters, Missouri 63376.

8 The Commission has set aside this
9 time for procedural conference in the case
10 captioned as Dora M. Middleton, Complainant,
11 versus Union Electric Company doing business as
12 Ameren Missouri, Respondent, and file number
13 EC-0218-0076.

14 My name is John Clark; I am the
15 regulatory law judge in this matter. We will
16 begin by asking the attorneys to enter their
17 appearances, starting with staff.

18 MS. FORCK: Marcella Forck,
19 staff for the Missouri Public Service
20 Commission.

21 MS. GIBONEY: I am Sarah
22 Giboney for Ameren Missouri, and the court
23 reporter has been provided with my contact
24 information, and with me today as Ameren
25 Missouri's representative is Aubrey Krcmar.

1 JUDGE CLARK: And appearing on
2 her own behalf is Dora Middleton, is that
3 correct?

4 MS. MIDDLETON: Yes.

5 JUDGE CLARK: Are there any
6 preliminary matters or pending motions that
7 need to be ruled on at this time? Staff?

8 MS. FORCK: No, judge.

9 JUDGE CLARK: Miss Giboney?

10 MS. GIBONEY: I do have a
11 matter that I want to take up regarding a prior
12 order to cease disconnection, but we can take
13 that up at the end if you would like.

14 JUDGE CLARK: Okay. That would
15 be fine.

16 Now, I have a complaint, I have an
17 answer, I have a staff report, all of those
18 have been filed, so unless there is anything
19 else, and you indicated that you wanted to take
20 up my disconnect order.

21 Of a procedural nature, I am going
22 to ask today after I leave that the parties
23 come up with a proposed procedural schedule.

24 Staff, if you will oversee that, I
25 would appreciate it.

1 MS. FORCK: Uh-huh.

2 JUDGE CLARK: I have here to
3 leave with you today, I believe through about
4 the middle of May of the education calendar.

5 MS. FORCK: All right.

6 JUDGE CLARK: Miss Middleton,
7 to explain what that is, basically, there is
8 certain things that need to occur leading up to
9 the hearing that you have requested.

10 Basically, everybody has to have
11 their evidence exchanged by a certain time in
12 what is called discovery, there has to be, if
13 there is pre-filed testimony, and I will
14 address that in a minute, that pre-filed
15 testimony has to be in by a certain date, and
16 there has to be decisions made as to who is
17 going to be testifying, and in what order they
18 are going to be testifying.

19 So, all those things have to be set
20 up to kind of occur beforehand, and if there is
21 any agreed upon stipulations, so I am going to
22 ask for procedural schedule, I am going to ask
23 for all the usual case events, including a
24 stipulation of non-disputed material facts.
25 Okay?

1 MS. FORCK: Okay.

2 JUDGE CLARK: And is February
3 the 16th, that's a Friday, is that sufficient
4 time to get that done?

5 MS. FORCK: Let me just verify.

6 MS. GIBONEY: It is for Ameren
7 Missouri, judge.

8 JUDGE CLARK: Thank you.

9 MS. FORCK: And that should
10 work for staff, as well.

11 JUDGE CLARK: And you can --
12 staff, you can either contact Miss Middleton in
13 regard to that or, Miss Middleton, if you are
14 going to stay here today, maybe we can -- maybe
15 you can hash out some available dates with them
16 if that will work for you. Okay?

17 MS. MIDDLETON: Okay.

18 JUDGE CLARK: I will point out
19 that because Miss Middleton lives here in
20 St. Peters, any hearing, any evidentiary
21 hearing that occurs on this will be in our St.
22 Louis office.

23 MS. GIBONEY: Judge, would that
24 be the office downtown at the Wainwright
25 Building?

1 JUDGE CLARK: Yes, that's
2 correct.

3 In regards to pre-filed testimony,
4 because this is what's called small complaint,
5 pre-filed testimony is my discretion.

6 Does anybody have any opinions they
7 want to offer in regard to pre-filed testimony?

8 And Miss Middleton, to explain what
9 pre-filed testimony is, in a normal case,
10 everybody who is going to be testifying would
11 pre-file their testimony. In other words, you
12 would file essentially with the Public Service
13 Commission what you believed your testimony
14 would be.

15 You would essentially lay out the
16 questions that you would ask yourself on the
17 stand and the answers that you would give that
18 you believe lay out your complaint.

19 So, you know, what was it that
20 Ameren did to you, you know, and then you would
21 essentially write out, here is what.

22 Now, in these small complaints
23 where there is only a few witnesses, I am
24 perfectly willing to dispense with pre-filed
25 testimony if the parties so wish it. If you

1 just want to show up and -- in other words, if
2 you want to just show up and testify that day
3 and not have to pre-file your testimony, I am
4 certainly willing to do that.

5 Do you have a preference, Miss
6 Middleton?

7 MS. MIDDLETON: I do.

8 JUDGE CLARK: What is your
9 preference?

10 MS. MIDDLETON: I would rather
11 do it the first way that you were just talking
12 about.

13 JUDGE CLARK: Okay. You would
14 rather write out the questions and ask
15 yourself.

16 MS. MIDDLETON: (Nods head.)

17 JUDGE CLARK: Now, that doesn't
18 preclude them from cross examining you at the
19 hearing, so they will still be able to ask you
20 questions in regard to the testimony you give.

21 So, you will still be testifying at
22 the hearing, you will just be laying out your
23 testimony clearly the way you want to in
24 advance.

25 So, include in the procedural

1 schedule, please, a pre-filed testimony date.

2 MS. FORCK: And judge, just to
3 be clear, is the complaint to be considered the
4 direct testimony, and then we would have
5 rebuttal and surrebuttal filed, or would she
6 get the opportunity to file her own --

7 JUDGE CLARK: Direct testimony?

8 MS. FORCK: -- direct?

9 JUDGE CLARK: I will leave the
10 preference to her.

11 Do you want to have your
12 complaint --

13 MS. MIDDLETON: The way she
14 just talked about doing it.

15 JUDGE CLARK: Okay. And she
16 said two things, so I am ask you to clarify
17 which one.

18 Do you want to go have the
19 complaint serve as your pre-filed testimony, or
20 do you want to do a new pre-filed direct
21 testimony?

22 MS. MIDDLETON: I -- actually,
23 I have a question before we do all of that.

24 Since there is so much going on, is
25 there a way that I can actually detain an

1 attorney myself?

2 JUDGE CLARK: Can you retain an
3 attorney?

4 MS. MIDDLETON: Get an attorney
5 myself.

6 JUDGE CLARK: You are certainly
7 welcome to get counsel at anytime.

8 MS. MIDDLETON: Okay.

9 JUDGE CLARK: And so, what
10 you --

11 MS. MIDDLETON: Is there a way
12 that I can do that and then we could proceed
13 with this further? Because I am just, you
14 know, not comfortable with it.

15 JUDGE CLARK: You are feeling a
16 little overwhelmed?

17 MS. MIDDLETON: Yeah, and I
18 think I want, you know, get someone to --

19 JUDGE CLARK: I think that's
20 fine. I will certainly give you an opportunity
21 to get counsel. I am going to go ahead and
22 have staff and Miss Giboney set a procedural
23 schedule. If you have an attorney enter on
24 this matter, that attorney is certainly welcome
25 to request modification of that procedural

1 schedule.

2 MS. MIDDLETON: Okay.

3 JUDGE CLARK: And I will
4 certainly, absolutely entertain that to try and
5 accommodate you and your attorney. Okay?

6 MS. MIDDLETON: Okay.

7 JUDGE CLARK: So, nothing that
8 is done here today will lock you in to
9 something if you have an attorney entered.
10 Okay?

11 MS. MIDDLETON: Okay.

12 JUDGE CLARK: I will certainly,
13 as I said before, once an attorney enters, if
14 they have indicated that certain dates will not
15 work for them, I will be willing to modify
16 those dates.

17 MS. MIDDLETON: Okay.

18 JUDGE CLARK: But because
19 everybody has driven so far today, I would like
20 to go ahead and get some dates hammered out in
21 regard to a tentative hearing date, a tentative
22 date for all testimony to be in.

23 MS. MIDDLETON: And then I need
24 to get -- I need time to actually get and hire
25 the attorney, you know. So...

1 JUDGE CLARK: Well, like I
2 said, the hearing date will probably be set a
3 month or two down the road. That will give you
4 sufficient time --

5 MS. MIDDLETON: Okay.

6 JUDGE CLARK: -- to talk to an
7 attorney. Okay?

8 What I probably will not be real
9 agreeable to is if the day before the hearing
10 or a couple of days before the hearing, the
11 attorney enters their appearance and says,
12 okay, I would like to have a new --

13 MS. MIDDLETON: No, it would be
14 way before that.

15 JUDGE CLARK: So, it would have
16 to be well before then. Okay?

17 MS. MIDDLETON: Okay.

18 MS. GIBONEY: Judge, I am
19 thinking about Marcie's suggestion that Miss
20 Middleton use her complaint as her direct
21 testimony, and Ameren Missouri has filed an
22 answer, so I mean if we are going to do it that
23 way, that could be our direct testimony, but I
24 am --

25 JUDGE CLARK: My understanding

1 was that she wanted to do a new pre-filed
2 testimony.

3 MS. GIBONEY: Oh, I thought she
4 wanted to use her complaint.

5 JUDGE CLARK: So, which one
6 would you want to do?

7 MS. MIDDLETON: See, that's
8 exactly what I am talking about to why I want
9 to have someone here, an attorney.

10 MS. FORCK: Okay.

11 MS. GIBONEY: Yeah.

12 MS. MIDDLETON: Because right
13 now, I am just...

14 JUDGE CLARK: Okay. What I
15 want is a pre-filed testimony deadline date.

16 Whatever that testimony turns out
17 to be, whether you decide to use your complaint
18 or whether you decide to use your -- whether
19 you decide with an attorney to file new
20 pre-filed testimony, I just want a date that
21 that will be done by.

22 MS. FORCK: Okay. So, judge, I
23 think what we can do for the procedural
24 schedule then is we can write, set a deadline
25 date for that, and whether it be nothing new

1 gets filed or something new gets filed, that
2 will be the date, and then subsequent to that,
3 we will have rebuttal and surrebuttal
4 opportunities. Does that work?

5 JUDGE CLARK: Yes.

6 MS. FORCK: Okay. Does that
7 work for you?

8 MS. GIBONEY: It does. I am
9 trying to figure out if Ameren Missouri is
10 supposed to file its own direct or just
11 rebuttal to the direct that Miss Middleton
12 files.

13 And I am also wondering about
14 things like exhibits and other evidence,
15 because what I would anticipate, if we had just
16 done this live would be part of our evidence
17 would be the phone calls. I don't know that I
18 can upload on the EVIS (phonetic).

19 I am trying to figure out as a
20 practical matter how to pre-file the evidence,
21 you know, that I would use normally in a live
22 hearing.

23 MS. FORCK: Sure. So, judge,
24 may I make a suggestion as far as her first
25 question about direct and rebuttal?

1 JUDGE CLARK: Go right ahead.

2 MS. FORCK: My understanding on
3 a complaint would be that Miss Middleton would
4 have her direct testimony, the company would
5 file rebuttal, and then Miss Middleton would
6 file surrebuttal.

7 JUDGE CLARK: Surrebuttal.

8 MS. FORCK: Is that your
9 understanding, as well, or would you prefer to
10 have both parties file their own direct, and
11 then both parties get the opportunity to rebut
12 and then surrebuttal?

13 JUDGE CLARK: My preference is
14 that she file direct, they file rebuttal.

15 MS. FORCK: Okay.

16 JUDGE CLARK: And then she have
17 an opportunity to respond with surrebuttal.

18 MS. FORCK: Okay.

19 MS. GIBONEY: And I think as to
20 documentary evidence, we could certainly attach
21 that to -- schedules to a rebuttal testimony,
22 but what I am trying to figure out is just what
23 those recorded customer service calls, what
24 would we do about those?

25 JUDGE CLARK: Now, that may be

1 something that you want to contact the data
2 center about. They might be able to tell you
3 how that might be entered.

4 I have a concern, obviously, in
5 terms of getting that to Miss Middleton, which
6 I believe can be accomplished with possibly a
7 CD.

8 MS. GIBONEY: That's easy to
9 do. I am just trying to figure out how to file
10 it, you know, as to the schedule.

11 But I would definitely provide Miss
12 Middleton --

13 MS. MIDDLETON: And I also have
14 recorded calls, too, because my phone calls are
15 all recorded.

16 JUDGE CLARK: Okay.

17 MS. MIDDLETON: So I, too, have
18 that, as well.

19 MS. GIBONEY: So, if you were
20 going to use any of those in your evidence,
21 that would be something, I think that if we are
22 pre-filing things, you would provide that to
23 Ameren somehow, whether you e-mail it to me, or
24 whether you put that on a CD and mail it to me,
25 that way --

1 JUDGE CLARK: That might be
2 something you would want to talk about after I
3 leave in regard to how --

4 MS. GIBONEY: We will exchange.

5 JUDGE CLARK: -- you are going
6 to exchange discovery.

7 MS. GIBONEY: Okay.

8 JUDGE CLARK: But yeah, they
9 would have a right to --

10 MS. MIDDLETON: Well, I
11 understand that. But see, again, that's why I
12 want my attorney, so I can make sure I am
13 doing, going about everything --

14 JUDGE CLARK: That's fine.
15 There will be a discovery deadline set, and
16 so --

17 MS. MIDDLETON: Okay.

18 JUDGE CLARK: -- you will
19 have -- certainly, if you can get an attorney
20 before that discovery deadline.

21 What I may also do is schedule
22 another prehearing conference just to kind of
23 see where we are.

24 MS. MIDDLETON: Okay.

25 JUDGE CLARK: Because it sounds

1 like that might be a good idea, and that would
2 be --

3 MS. FORCK: Would you like us
4 to build that into the schedule then, as well?

5 JUDGE CLARK: I would. So,
6 that would be very handy for me if you could
7 build that into the schedule.

8 And that would be an opportunity to
9 see, Miss Middleton, if you had an attorney at
10 that time, and in regard to that attorney, any
11 changes that they wanted to make in the
12 procedural schedule, and any motions that they
13 wanted me to hear that would be prehearing
14 motions.

15 MS. MIDDLETON: Okay.

16 JUDGE CLARK: Okay? Do you
17 have any objection to any of those so far?

18 MS. MIDDLETON: No.

19 JUDGE CLARK: Okay. So, we
20 dealt with pre-filed testimony; we've dealt
21 with the procedural schedule.

22 Let's deal with the issue that
23 Ameren bought up at this time, which you said
24 you had an issue that you wanted to address in
25 regard to the disconnect.

1 MS. GIBONEY: Yes. So, on
2 September 18th of 2017, you entered an order
3 ordering the company to cease any disconnection
4 of Miss Middleton's service pending the
5 commission's decisions on the merits.

6 And in compliance with that order,
7 the company suspended, in other words, did not
8 issue disconnect notice and took out of
9 collection activity all past due balances.

10 JUDGE CLARK: Everything that's
11 in dispute.

12 MS. GIBONEY: That wasn't
13 exactly what it was disputed.

14 MS. MIDDLETON: No.

15 MS. GIBONEY: So, out of an
16 abundance of caution, we did what is necessary
17 to suspend any disconnection, which is what the
18 order said.

19 So, the amount in dispute was
20 \$383.44, that was what was first transferred
21 in, but subsequent to that, there is an amount
22 currently that's delinquent that is not in
23 dispute, and we have a concern that there are a
24 couple of side effects to not being able to
25 issue disconnect notices.

1 One is that the customer isn't
2 receiving notice that that's -- that that
3 amount is delinquent. It's showing as a prior
4 balance, but she is not getting notices that's
5 it's delinquent, or just subject to
6 disconnection.

7 And the second is that, and this is
8 for customers generally, if they wish to seek
9 any energy assistance, which some do and some
10 don't, they are generally required to provide a
11 disconnection notice. So, if we are suspending
12 on any disconnection, we are not able to
13 provide that disconnection notice which would
14 help them receive assistance.

15 So, what I would ask today, judge,
16 is that you modify or maybe just enter a new
17 order allowing the -- clarifying that the
18 company is not allowed to disconnect for the
19 \$383.44 that's in dispute, but that pursuant to
20 the Commission's Chapter 13 rules, that service
21 may be disconnected for failure to pay
22 undisputed delinquent charges.

23 JUDGE CLARK: Well, let's talk
24 about that right now. Rather than going with a
25 dollar amount, which is what you are

1 indicating, I would prefer to go with the
2 filing date.

3 So, would it be amounts prior to
4 the filing of the complaint?

5 MS. GIBONEY: Well, that really
6 is not the amount that Miss Middleton has
7 disputed.

8 In her complaint, she -- I will
9 look at the complaint to be sure. The amount
10 in paragraph five of her complaint, it says the
11 amount at issue is 388.44. And at the time she
12 filed, there was a balance of more than that
13 amount. It was --

14 MS. KRCMAR: 593.

15 MS. GIBONEY: 593. So, I do
16 think there is a difference between those two
17 and I do think that really the amount in
18 dispute is the amount that was transferred in,
19 the 388.44.

20 JUDGE CLARK: Okay. And Miss
21 Middleton, you are shaking your head.

22 MS. MIDDLETON: Because that's
23 not true.

24 JUDGE CLARK: Okay.

25 MS. MIDDLETON: And I have been

1 on the phone talking to Ameren, and every time
2 I have made my recent payments, I said, Is
3 there any amount behind? Is there any -- and
4 it's all recorded. Is there any amount behind?
5 Do I owe anything?

6 They said, no, this is all that you
7 have to pay here, besides the disputed amount.

8 There was nothing owed on that
9 account besides that amount that she was
10 talking about. So now, all of a sudden, there
11 is some kind of delinquency that she is talking
12 about?

13 I just actually got a letter from
14 them saying my account was actually -- there is
15 a \$62 credit on there at the moment, because I
16 am paid up. So, I don't know what you are
17 talking about, but again, that's why I want my
18 attorney, because there is -- and I need the
19 order to state the way it is, because all of
20 what she is saying is not true.

21 MS. GIBONEY: Judge, if I could
22 just --

23 MS. MIDDLETON: And I have
24 evidence of that.

25 MS. GIBONEY: If I could just

1 respond briefly. This is exactly what happens,
2 because when we are required to suspend, then
3 it doesn't show up, and when she calls in,
4 it -- if the question is, you know, Is there
5 any delinquent amount, or, Am I behind, that's
6 not reported to her, because it's all suspended
7 to avoid a disconnection.

8 So, it really kind of creates a
9 problem in being able to communicate to the
10 customer, but her current bill always shows a
11 prior balance, and so I would understand if she
12 or any other customer who has filed a complaint
13 is looking at a current bill showing a prior
14 balance of \$693, but then when they call in,
15 they are hearing that they don't need to pay
16 anything to avoid a disconnection.

17 It's very confusing to suspend all
18 the amounts that become delinquent.

19 JUDGE CLARK: And it's my
20 understanding that the way that the rule is
21 written, it doesn't cover amounts not in
22 dispute that would have accrued since the
23 complaint.

24 So, let's talk about briefly the
25 amount. You are saying, you are wanting to say

1 that the amount alleged in the complaint is the
2 amount that should be subtracted out for the --
3 held essentially --

4 MS. GIBONEY: Yes.

5 JUDGE CLARK: -- aside for the
6 purpose of the disconnection order, and that in
7 any other amount, and you seem to indicate that
8 there was 500-something?

9 MS. KRCCMAR: 593 was originally
10 suspended.

11 MS. GIBONEY: At the time that
12 the complaint was filed.

13 JUDGE CLARK: So, it sounds
14 like there is about 200-something that was
15 not -- that was not included in the complaint
16 that is currently being --

17 MS. GIBONEY: Plus additional
18 amounts that haven't been paid up.

19 We could definitely sit down and
20 detail every bit of it.

21 A That's not correct.

22 MS. GIBONEY: Like you said,
23 this is kind of the problem with not having a
24 dollar amount in that order, but --

25 MS. MIDDLETON: That's not

1 correct.

2 JUDGE CLARK: This is not an
3 evidently hearing, number one. So, my tendency
4 on this is a disconnection is a fairly
5 significant event.

6 So, what I would like to do is see
7 if we can set a prehearing conference a little
8 bit earlier --

9 MS. FORCK: Okay.

10 JUDGE CLARK: -- giving you an
11 opportunity to file a motion in regard to that.

12 MS. GIBONEY: Okay.

13 JUDGE CLARK: And if you could
14 file a motion laying out your reasons, you will
15 have ten days to respond to that motion or have
16 an attorney respond to that motion.

17 We can set a prehearing conference
18 say about two weeks down the road would be
19 good.

20 MS. MIDDLETON: And I have a
21 question.

22 JUDGE CLARK: Hold on.

23 MS. FORCK: Okay.

24 JUDGE CLARK: About two weeks
25 down the road.

1 Is two weeks going to be a
2 sufficient time for you to get an attorney?

3 MS. MIDDLETON: I don't know.
4 That's what I was just talking to you about. I
5 have to get an attorney. So, I don't know how
6 hard or how quick, you know, I will be able to,
7 you know. You just --

8 JUDGE CLARK: I understand
9 that. At the same time, I am not going to
10 suspend, I am not going to hold them forever
11 while you get an attorney. So I need a
12 reason --

13 MS. MIDDLETON: The thing is
14 that's -- what they are saying is not true.

15 So, you are telling me, well, they
16 are saying you owe this, and I am telling you
17 that is not true.

18 And this is your company, and you
19 are telling me that they can't tell me when I
20 talk to them what is due, then that's a problem
21 within your company, because the way I word all
22 of my questions, I asked them exactly this:
23 Okay, is there any past due? Is anything past
24 due?

25 Hold on, let me ask my supervisor.

1 And I am on hold for twenty minutes. Then they
2 come back, no, the supervisor said there is
3 nothing past due.

4 So, that's your company, and I have
5 all that on tape.

6 JUDGE CLARK: Here is my
7 question for you, Miss Middleton: Is
8 thirty days going to be sufficient for you to
9 get an attorney?

10 MS. MIDDLETON: Yes.

11 JUDGE CLARK: Okay.

12 MS. MIDDLETON: I will take
13 thirty days.

14 JUDGE CLARK: So, prehearing
15 conference after thirty days.

16 How long is it going to take a
17 motion to be filed in regard to this?

18 Can you get one filed within the
19 next couple weeks?

20 MS. GIBONEY: Oh, sure. A week
21 is fine, yeah.

22 JUDGE CLARK: A week is fine.

23 MS. GIBONEY: That's fine.

24 JUDGE CLARK: And that will
25 give you -- you will receive a copy of their

1 motion to basically disregard a portion of the
2 disconnect and proceed forward with any
3 disconnection or any amounts outside the amount
4 in dispute.

5 So, you will receive a copy of that
6 motion, and you will have additionally ten days
7 beyond that to respond. Okay?

8 So, you said you can -- I am going
9 to give you a little bit further time to
10 respond to that, since we are looking at a
11 month off for the prehearing conference.

12 So, if you can have -- I will
13 give -- so, if you can have your motion in by
14 Friday, February the 2nd --

15 MS. GIBONEY: That's great,
16 judge.

17 JUDGE CLARK: Let me get these
18 dates down. We've got the procedural
19 conference due -- I am sorry, the procedural
20 schedule due February 16th.

21 MS. FORCK: Yes.

22 JUDGE CLARK: Ameren's
23 disconnect motion February 2nd.

24 Let's set the prehearing conference
25 you said thirty days would be sufficient?

1 MS. MIDDLETON: Yes.

2 JUDGE CLARK: That would put us
3 at February the 24th, Monday, February the 26th
4 appears to be a hearing --

5 MS. FORCK: That's, I believe,
6 the first week of the Missouri American --

7 JUDGE CLARK: That is correct.
8 Are you involved in that?

9 MS. FORCK: I am, and I think
10 that's two weeks.

11 JUDGE CLARK: It is. That is
12 correct. And after that is Great Plains
13 Energy. Are you involved with that?

14 MS. FORCK: I am not on that
15 one, so...

16 JUDGE CLARK: So, and that buys
17 you a little additional time.

18 MS. MIDDLETON: Okay.

19 JUDGE CLARK: So, Monday, March
20 the 12th is when I want the next procedural
21 conference set for.

22 MS. FORCK: Okay.

23 JUDGE CLARK: And that's just
24 like today, Miss Middleton. That is basically
25 an opportunity, if you have an attorney entered

1 at that time, we will meet again; it may be
2 here, it maybe elsewhere, and you will receive
3 notice as to where it is.

4 MS. MIDDLETON: Okay.

5 JUDGE CLARK: I am going to see
6 if I can get a place where people can call into
7 if they need to.

8 Are you able to use the phone?

9 MS. MIDDLETON: Yes.

10 JUDGE CLARK: If I did the
11 procedural -- if I did the prehearing
12 conference, because I guess there was some
13 question I had in regard to that, if I did the
14 prehearing conference in Jefferson City and
15 gave you a call-in number to participate for
16 you and your attorney, would that be
17 sufficient?

18 MS. MIDDLETON: Well, I don't
19 know. I can't speak for the attorney.

20 JUDGE CLARK: Well, they can
21 file otherwise, if it wasn't.

22 MS. MIDDLETON: Okay.

23 JUDGE CLARK: Would you be able
24 to call in at that time?

25 MS. MIDDLETON: I really can't

1 say. You know, because I don't want anything
2 to happen with the phone systems, you know, and
3 it has -- anything can happen when you are
4 dealing with the phones.

5 JUDGE CLARK: I will set it
6 here and --

7 MS. MIDDLETON: Can we set it
8 up here in person? I would rather come here
9 with my attorney.

10 JUDGE CLARK: I will set it in
11 person. I will, however, allow the parties to
12 call in if they so wish. So, I will arrange it
13 so there is a call-in number for the other
14 parties if they so wish to call in.

15 MS. MIDDLETON: Okay.

16 JUDGE CLARK: Okay?

17 That does mean that the -- that
18 prehearing conference will probably not be
19 here, because they did not have conference
20 phones available for use here, so it will be at
21 a different location. I will still try and set
22 it close to your location. Okay?

23 MS. MIDDLETON: Okay.

24 JUDGE CLARK: All right. Now,
25 let's go back, let's go back one week from

1 that. Let's go back two weeks.

2 I am going to give you, Miss
3 Middleton, until Monday, March the 5th to have
4 any response filed to Ameren's disconnect
5 motion.

6 MS. MIDDLETON: Okay.

7 JUDGE CLARK: And I will
8 hear -- if you are going to have an attorney, I
9 would suggest having him here on the March 12th
10 conference --

11 MS. MIDDLETON: Okay.

12 JUDGE CLARK: -- because I am
13 going to make a ruling on that fairly quickly
14 because of the time that is going to pass.

15 MS. MIDDLETON: March 12th?

16 JUDGE CLARK: That's correct.

17 So, March 5th to have any response
18 to Ameren's disconnection motion.

19 MS. MIDDLETON: Okay.

20 JUDGE CLARK: Ameren, does that
21 address that issue for you?

22 MS. GIBONEY: Yes. Thank you,
23 judge.

24 JUDGE CLARK: And so, if you
25 believe that their facts are wrong, Miss

1 Middleton, you will have an opportunity in your
2 motion to address that.

3 MS. MIDDLETON: Okay.

4 JUDGE CLARK: Okay?

5 Are there any other -- any other
6 matters that need to be addressed during this
7 conference today? Staff?

8 MS. FORCK: No, judge.

9 MS. GIBONEY: No, judge.

10 MS. MIDDLETON: No.

11 JUDGE CLARK: Okay. I had to
12 call you on my personal cell phone today in
13 order to get you to attend here.

14 MS. MIDDLETON: I had the dates
15 mixed up. I thought it was the 27th.

16 JUDGE CLARK: I understand. I
17 would ask that you not contact me on my
18 personal cell phone in regard to that.

19 If you have any questions, that you
20 contact the Public Service Commission. Okay?

21 MS. MIDDLETON: Uh-huh.

22 JUDGE CLARK: All right.

23 Having heard that there are no other matters to
24 address at this time, I am going to conclude
25 this prehearing conference at this point and we

1 will go off the record. Thank you all for
2 showing up today.

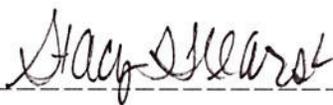
3 * * * * *

4
5
6
7
8
9
10
11
12
13
14
15
16
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
CERTIFICATE

I, STACY L. HEARST, a Certified Court Reporter for the State of Missouri, do hereby certify that the foregoing record was reduced to writing by me; that this record is a true and correct record of the statements given, and that this record is now returned to the Commission.

I further certify that I am neither attorney nor counsel for nor related to any of the parties to the action in which this record is taken; further, that I am not a relative or Plaintiff of any attorney or counsel employed by the parties hereto or financially interested in this action.



STACY L. HEARST, CCR 923

1/25/18

\$	65102 ^[3] - 3:4, 3:12, 3:16 65205 ^[1] - 3:8	23:3, 23:4, 23:7, 23:9, 24:5, 24:25, 25:1, 25:2, 25:7, 25:24, 29:3 amounts ^[5] - 22:3, 24:18, 24:21, 25:18, 29:3 answer ^[2] - 5:17, 13:22 answers ^[1] - 8:17 anticipate ^[1] - 15:15 anytime ^[1] - 11:7 appearance ^[1] - 13:11 appearances ^[1] - 4:17 appearing ^[1] - 5:1 appreciate ^[1] - 5:25 arrange ^[1] - 32:12 aside ^[2] - 4:8, 25:5 assistance ^[2] - 21:9, 21:14 Associate ^[1] - 3:14 attach ^[1] - 16:20 attend ^[1] - 34:13 ATTORNEY ^[1] - 3:6 attorney ^[30] - 11:1, 11:3, 11:4, 11:23, 11:24, 12:5, 12:9, 12:13, 12:25, 13:7, 13:11, 14:9, 14:19, 18:12, 18:19, 19:9, 19:10, 23:18, 26:16, 27:2, 27:5, 27:11, 28:9, 30:25, 31:16, 31:19, 32:9, 33:8, 36:11, 36:14 attorneys ^[1] - 4:16 Aubrey ^[2] - 3:11, 4:25 available ^[2] - 7:15, 32:20 avoid ^[2] - 24:7, 24:16	bit ^[3] - 25:20, 26:8, 29:9 bought ^[1] - 19:23 Box ^[2] - 1:21, 3:16 Branch ^[1] - 4:6 briefly ^[2] - 24:1, 24:24 build ^[2] - 19:4, 19:7 Building ^[1] - 7:25 business ^[1] - 4:11 buys ^[1] - 30:16 BY ^[1] - 1:17	18:1, 18:5, 18:8, 18:14, 18:18, 18:25, 19:5, 19:16, 19:19, 20:10, 21:23, 22:20, 22:24, 24:19, 25:5, 25:13, 26:2, 26:10, 26:13, 26:22, 26:24, 27:8, 28:6, 28:11, 28:14, 28:22, 28:24, 29:17, 29:22, 30:2, 30:7, 30:11, 30:16, 30:19, 30:23, 31:5, 31:10, 31:20, 31:23, 32:5, 32:10, 32:16, 32:24, 33:7, 33:12, 33:16, 33:20, 33:24, 34:4, 34:11, 34:16, 34:22 clear ^[1] - 10:3 clearly ^[1] - 9:23 close ^[1] - 32:22 collection ^[1] - 20:9 Columbia ^[1] - 3:8 comfortable ^[1] - 11:14 COMMISSION ^[3] - 1:1, 2:1, 3:14 Commission ^[6] - 2:20, 4:8, 4:20, 8:13, 34:20, 36:9 commission's ^[1] - 20:5 Commission's ^[1] - 21:20 communicate ^[1] - 24:9 Company ^[1] - 4:11 COMPANY ^[3] - 1:9, 2:6, 2:22 company ^[7] - 16:4, 20:3, 20:7, 21:18, 27:18, 27:21, 28:4 complainant ^[1] - 1:6 Complainant ^[3] - 2:4, 2:22, 4:10 complaint ^[19] - 5:16, 8:4, 8:18, 10:3, 10:12, 10:19, 13:20, 14:4, 14:17, 16:3, 22:4, 22:8, 22:9, 22:10, 24:12, 24:23, 25:1, 25:12, 25:15 complaints ^[1] - 8:22 compliance ^[1] - 20:6 concern ^[2] - 17:4, 20:23 conclude ^[1] - 34:24 CONFERENCE ^[2] - 1:14, 2:13 conference ^[16] - 4:9
\$383.44 ^[2] - 20:20, 21:19 \$62 ^[1] - 23:15 \$693 ^[1] - 24:14	8			
1	8 ^[1] - 2:14			
1/25/18 ^[1] - 36:22 101 ^[1] - 3:11 10:27 ^[1] - 4:5 111 ^[1] - 3:8 12th ^[3] - 30:20, 33:9, 33:15 13 ^[1] - 21:20 16th ^[2] - 7:3, 29:20 18th ^[1] - 20:2	9			
2	923 ^[2] - 1:17, 36:19			
200 ^[2] - 3:8, 3:15 200-something ^[1] - 25:14 2017 ^[1] - 20:2 2018 ^[3] - 1:16, 2:14, 4:4 209 ^[2] - 2:16, 4:6 24 ^[2] - 1:16, 2:14 24th ^[2] - 4:4, 30:3 26th ^[1] - 30:3 27th ^[1] - 34:15 2nd ^[2] - 29:14, 29:23	A			
3	a.m ^[1] - 4:5 able ^[8] - 9:19, 17:2, 20:24, 21:12, 24:9, 27:6, 31:8, 31:23 absolutely ^[1] - 12:4 abundance ^[1] - 20:16 accommodate ^[1] - 12:5 accomplished ^[1] - 17:6 account ^[2] - 23:9, 23:14 accrued ^[1] - 24:22 action ^[2] - 36:12, 36:16 activity ^[1] - 20:9 additional ^[2] - 25:17, 30:17 additionally ^[1] - 29:6 address ^[5] - 6:14, 19:24, 33:21, 34:2, 34:24 addressed ^[1] - 34:6 advance ^[1] - 9:24 afternoon ^[1] - 2:15 agreeable ^[1] - 13:9 agreed ^[1] - 6:21 ahead ^[3] - 11:21, 12:20, 16:1 alleged ^[1] - 25:1 allow ^[1] - 32:11 allowed ^[1] - 21:18 allowing ^[1] - 21:17 AMEREN ^[5] - 1:10, 2:7, 2:23, 3:6, 3:10 Ameren ^[11] - 4:12, 4:22, 4:24, 7:6, 8:20, 13:21, 15:9, 17:23, 19:23, 23:1, 33:20 Ameren's ^[3] - 29:22, 33:4, 33:18 American ^[1] - 30:6 amount ^[21] - 20:19, 20:21, 21:3, 21:25, 22:6, 22:9, 22:11, 22:13, 22:17, 22:18,			
4				
314-481-8616 ^[1] - 1:22 31698 ^[1] - 1:21 360 ^[1] - 3:16 388.44 ^[2] - 22:11, 22:19				
5				
427 ^[1] - 2:17				
6				
500-something ^[1] - 25:8 593 ^[3] - 22:14, 22:15, 25:9 5th ^[2] - 33:3, 33:17				
7				
6 ^[1] - 2:15 63131 ^[1] - 1:22 63376 ^[1] - 4:7				
		B		
		balance ^[4] - 21:4, 22:12, 24:11, 24:14 balances ^[1] - 20:9 become ^[1] - 24:18 BEFORE ^[3] - 1:1, 1:15, 2:1 beforehand ^[1] - 6:20 begin ^[1] - 4:16 behalf ^[1] - 5:2 behind ^[3] - 23:3, 23:4, 24:5 between ^[3] - 2:14, 2:21, 22:16 beyond ^[1] - 29:7 bill ^[2] - 24:10, 24:13		
		C		
		calendar ^[1] - 6:4 call-in ^[2] - 31:15, 32:13 captioned ^[1] - 4:10 case ^[3] - 4:9, 6:23, 8:9 caution ^[1] - 20:16 CCR ^[2] - 1:17, 36:19 CD ^[2] - 17:7, 17:24 cease ^[2] - 5:12, 20:3 cell ^[2] - 34:12, 34:18 center ^[1] - 17:2 certain ^[4] - 6:8, 6:11, 6:15, 12:14 certainly ^[8] - 9:4, 11:6, 11:20, 11:24, 12:4, 12:12, 16:20, 18:19 CERTIFICATE ^[1] - 36:1 Certified ^[2] - 2:18, 36:3 certify ^[2] - 36:5, 36:10 changes ^[1] - 19:11 Chapter ^[1] - 21:20 charges ^[1] - 21:22 City ^[4] - 3:4, 3:12, 3:16, 31:14 clarify ^[1] - 10:16 clarifying ^[1] - 21:17 Clark ^[2] - 3:3, 4:14 CLARK ^[93] - 1:15, 4:3, 5:1, 5:5, 5:9, 5:14, 6:2, 6:6, 7:2, 7:8, 7:11, 7:18, 8:1, 9:8, 9:13, 9:17, 10:7, 10:9, 10:15, 11:2, 11:6, 11:9, 11:15, 11:19, 12:3, 12:7, 12:12, 12:18, 13:1, 13:6, 13:15, 13:25, 14:5, 14:14, 15:5, 16:1, 16:7, 16:13, 16:16, 16:25, 17:16,		

<p>18:22, 26:7, 26:17, 28:15, 29:11, 29:19, 29:24, 30:21, 31:12, 31:14, 32:18, 32:19, 33:10, 34:7, 34:25</p> <p>confusing [1] - 24:17</p> <p>considered [1] - 10:3</p> <p>contact [5] - 4:23, 7:12, 17:1, 34:17, 34:20</p> <p>copy [2] - 28:25, 29:5</p> <p>CORPORATE [1] - 3:10</p> <p>correct [8] - 5:3, 8:2, 25:21, 26:1, 30:7, 30:12, 33:16, 36:7</p> <p>counsel [4] - 11:7, 11:21, 36:11, 36:14</p> <p>Counsel [1] - 3:14</p> <p>couple [3] - 13:10, 20:24, 28:19</p> <p>court [1] - 4:22</p> <p>Court [2] - 2:18, 36:4</p> <p>cover [1] - 24:21</p> <p>creates [1] - 24:8</p> <p>credit [1] - 23:15</p> <p>cross [1] - 9:18</p> <p>current [3] - 4:5, 24:10, 24:13</p> <p>customer [4] - 16:23, 21:1, 24:10, 24:12</p> <p>customers [1] - 21:8</p>	<p>23:11</p> <p>delinquent [6] - 20:22, 21:3, 21:5, 21:22, 24:5, 24:18</p> <p>DEPOSITION [1] - 2:12</p> <p>detail [1] - 25:20</p> <p>detain [1] - 10:25</p> <p>difference [1] - 22:16</p> <p>different [1] - 32:21</p> <p>direct [12] - 10:4, 10:7, 10:8, 10:20, 13:20, 13:23, 15:10, 15:11, 15:25, 16:4, 16:10, 16:14</p> <p>disconnect [8] - 5:20, 19:25, 20:8, 20:25, 21:18, 29:2, 29:23, 33:4</p> <p>disconnected [1] - 21:21</p> <p>disconnection [13] - 5:12, 20:3, 20:17, 21:6, 21:11, 21:12, 21:13, 24:7, 24:16, 25:6, 26:4, 29:3, 33:18</p> <p>discovery [4] - 6:12, 18:6, 18:15, 18:20</p> <p>discretion [1] - 8:5</p> <p>dispense [1] - 8:24</p> <p>dispute [7] - 20:11, 20:19, 20:23, 21:19, 22:18, 24:22, 29:4</p> <p>disputed [4] - 6:24, 20:13, 22:7, 23:7</p> <p>disregard [1] - 29:1</p> <p>documentary [1] - 16:20</p> <p>dollar [2] - 21:25, 25:24</p> <p>done [4] - 7:4, 12:8, 14:21, 15:16</p> <p>Dora [2] - 4:10, 5:2</p> <p>DORA [3] - 1:4, 2:3, 2:21</p> <p>down [5] - 13:3, 25:19, 26:18, 26:25, 29:18</p> <p>downtown [1] - 7:24</p> <p>driven [1] - 12:19</p> <p>due [7] - 20:9, 27:20, 27:23, 27:24, 28:3, 29:19, 29:20</p> <p>during [1] - 34:6</p>	<p>4:13</p> <p>EC-2018-0076 [2] - 1:7, 2:5</p> <p>education [1] - 6:4</p> <p>effects [1] - 20:24</p> <p>either [1] - 7:12</p> <p>Electric [1] - 4:11</p> <p>ELECTRIC [3] - 1:9, 2:6, 2:22</p> <p>elsewhere [1] - 31:2</p> <p>employed [1] - 36:14</p> <p>end [1] - 5:13</p> <p>energy [1] - 21:9</p> <p>Energy [1] - 30:13</p> <p>enter [3] - 4:16, 11:23, 21:16</p> <p>entered [4] - 12:9, 17:3, 20:2, 30:25</p> <p>enters [2] - 12:13, 13:11</p> <p>entertain [1] - 12:4</p> <p>Esq [3] - 3:3, 3:7, 3:15</p> <p>essentially [4] - 8:12, 8:15, 8:21, 25:3</p> <p>event [1] - 26:5</p> <p>events [1] - 6:23</p> <p>evidence [7] - 6:11, 15:14, 15:16, 15:20, 16:20, 17:20, 23:24</p> <p>evidentiary [1] - 7:20</p> <p>evidently [1] - 26:3</p> <p>EVIS [1] - 15:18</p> <p>exactly [4] - 14:8, 20:13, 24:1, 27:22</p> <p>examined [1] - 2:13</p> <p>examining [1] - 9:18</p> <p>exchange [2] - 18:4, 18:6</p> <p>exchanged [1] - 6:11</p> <p>exhibits [1] - 15:14</p> <p>explain [2] - 6:7, 8:8</p>	<p>26:14, 31:21</p> <p>File [1] - 2:5</p> <p>filed [25] - 5:18, 6:13, 6:14, 8:3, 8:5, 8:7, 8:9, 8:24, 10:1, 10:5, 10:19, 10:20, 13:21, 14:1, 14:15, 14:20, 15:1, 19:20, 22:12, 24:12, 25:12, 28:17, 28:18, 33:4</p> <p>files [1] - 15:12</p> <p>filing [3] - 17:22, 22:2, 22:4</p> <p>financially [1] - 36:15</p> <p>fine [6] - 5:15, 11:20, 18:14, 28:21, 28:22, 28:23</p> <p>first [4] - 9:11, 15:24, 20:20, 30:6</p> <p>five [1] - 22:10</p> <p>FOR [2] - 3:6, 3:14</p> <p>FORCK [26] - 4:18, 5:8, 6:1, 6:5, 7:1, 7:5, 7:9, 10:2, 10:8, 14:10, 14:22, 15:6, 15:23, 16:2, 16:8, 16:15, 16:18, 19:3, 26:9, 26:23, 29:21, 30:5, 30:9, 30:14, 30:22, 34:8</p> <p>Forck [2] - 3:15, 4:18</p> <p>foregoing [1] - 36:5</p> <p>forenoon [1] - 2:15</p> <p>forever [1] - 27:10</p> <p>forward [1] - 29:2</p> <p>Friday [2] - 7:3, 29:14</p>	<p style="text-align: center;">H</p> <p>hammered [1] - 12:20</p> <p>handy [1] - 19:6</p> <p>hard [1] - 27:6</p> <p>hash [1] - 7:15</p> <p>head [2] - 9:16, 22:21</p> <p>hear [2] - 19:13, 33:8</p> <p>heard [1] - 34:23</p> <p>hearing [13] - 6:9, 7:20, 7:21, 9:19, 9:22, 12:21, 13:2, 13:9, 13:10, 15:22, 24:15, 26:3, 30:4</p> <p>HEARST [3] - 1:17, 36:3, 36:19</p> <p>Hearst [1] - 2:18</p> <p>held [1] - 25:3</p> <p>help [1] - 21:14</p> <p>hereby [1] - 36:5</p> <p>hereto [1] - 36:15</p> <p>hire [1] - 12:24</p> <p>hold [4] - 26:22, 27:10, 27:25, 28:1</p> <p>hours [1] - 2:14</p>
D				I
<p>d/b/a [3] - 1:9, 2:6, 2:22</p> <p>data [1] - 17:1</p> <p>date [11] - 4:4, 6:15, 10:1, 12:21, 12:22, 13:2, 14:15, 14:20, 14:25, 15:2, 22:2</p> <p>dates [6] - 7:15, 12:14, 12:16, 12:20, 29:18, 34:14</p> <p>days [7] - 13:10, 26:15, 28:8, 28:13, 28:15, 29:6, 29:25</p> <p>deadline [4] - 14:15, 14:24, 18:15, 18:20</p> <p>deal [1] - 19:22</p> <p>dealing [1] - 32:4</p> <p>dealt [2] - 19:20</p> <p>decide [3] - 14:17, 14:18, 14:19</p> <p>decisions [2] - 6:16, 20:5</p> <p>definitely [2] - 17:11, 25:19</p> <p>delinquency [1] -</p>	E	F	G	<p>idea [1] - 19:1</p> <p>include [1] - 9:25</p> <p>included [1] - 25:15</p> <p>including [1] - 6:23</p> <p>indicate [1] - 25:7</p> <p>indicated [2] - 5:19, 12:14</p> <p>indicating [1] - 22:1</p> <p>information [1] - 4:24</p> <p>interested [1] - 36:15</p> <p>involved [2] - 30:8, 30:13</p> <p>issue [6] - 19:22, 19:24, 20:8, 20:25, 22:11, 33:21</p>
<p>e-mail [1] - 17:23</p> <p>easy [1] - 17:8</p> <p>EC-0218-0076 [1] -</p>		<p>facts [2] - 6:24, 33:25</p> <p>failure [1] - 21:21</p> <p>fairly [2] - 26:4, 33:13</p> <p>far [3] - 12:19, 15:24, 19:17</p> <p>February [6] - 7:2, 29:14, 29:20, 29:23, 30:3</p> <p>few [1] - 8:23</p> <p>figure [4] - 15:9, 15:19, 16:22, 17:9</p> <p>file [18] - 1:7, 4:12, 8:11, 8:12, 9:3, 10:6, 14:19, 15:10, 15:20, 16:5, 16:6, 16:10, 16:14, 17:9, 26:11,</p>	<p>generally [2] - 21:8, 21:10</p> <p>GIBONEY [30] - 4:21, 5:10, 7:6, 7:23, 13:18, 14:3, 14:11, 15:8, 16:19, 17:8, 17:19, 18:4, 18:7, 20:1, 20:12, 20:15, 22:5, 22:15, 23:21, 23:25, 25:4, 25:11, 25:17, 25:22, 26:12, 28:20, 28:23, 29:15, 33:22, 34:9</p> <p>Giboney [4] - 3:7, 4:22, 5:9, 11:22</p> <p>given [1] - 36:7</p> <p>great [1] - 29:15</p> <p>Great [1] - 30:12</p> <p>guess [1] - 31:12</p>	J
				<p>JANUARY [1] - 1:16</p> <p>January [2] - 2:14, 4:4</p> <p>Jefferson [4] - 3:4, 3:12, 3:16, 31:14</p> <p>John [1] - 4:14</p> <p>JOHN [1] - 1:15</p> <p>john [1] - 3:3</p> <p>Judge [1] - 7:23</p> <p>JUDGE [94] - 1:15, 3:3, 4:3, 5:1, 5:5, 5:9, 5:14, 6:2, 6:6, 7:2, 7:8, 7:11, 7:18, 8:1, 9:8, 9:13, 9:17, 10:7, 10:9, 10:15,</p>

11:2, 11:6, 11:9, 11:15, 11:19, 12:3, 12:7, 12:12, 12:18, 13:1, 13:6, 13:15, 13:25, 14:5, 14:14, 15:5, 16:1, 16:7, 16:13, 16:16, 16:25, 17:16, 18:1, 18:5, 18:8, 18:14, 18:18, 18:25, 19:5, 19:16, 19:19, 20:10, 21:23, 22:20, 22:24, 24:19, 25:5, 25:13, 26:2, 26:10, 26:13, 26:22, 26:24, 27:8, 28:6, 28:11, 28:14, 28:22, 28:24, 29:17, 29:22, 30:2, 30:7, 30:11, 30:16, 30:19, 30:23, 31:5, 31:10, 31:20, 31:23, 32:5, 32:10, 32:16, 32:24, 33:7, 33:12, 33:16, 33:20, 33:24, 34:4, 34:11, 34:16, 34:22 judge [13] - 4:15, 5:8, 7:7, 10:2, 13:18, 14:22, 15:23, 21:15, 23:21, 29:16, 33:23, 34:8, 34:9 just.. [1] - 14:13	29:10 Louis [2] - 1:22, 7:22	17:11, 19:9, 20:4, 22:6, 22:20, 28:7, 30:24, 33:2, 33:25 miss [1] - 5:9 MISSOURI [7] - 1:2, 1:10, 2:1, 2:7, 2:23, 3:6, 3:10 Missouri [12] - 2:17, 2:19, 2:21, 4:7, 4:12, 4:19, 4:22, 7:7, 13:21, 15:9, 30:6, 36:4 Missouri's [1] - 4:25 mixed [1] - 34:15 MO [6] - 1:22, 3:4, 3:8, 3:12, 3:14, 3:16 modification [1] - 11:25 modify [2] - 12:15, 21:16 moment [1] - 23:15 Monday [3] - 30:3, 30:19, 33:3 month [2] - 13:3, 29:11 motion [12] - 26:11, 26:14, 26:15, 26:16, 28:17, 29:1, 29:6, 29:13, 29:23, 33:5, 33:18, 34:2 motions [3] - 5:6, 19:12, 19:14 MS [114] - 4:18, 4:21, 5:4, 5:8, 5:10, 6:1, 6:5, 7:1, 7:5, 7:6, 7:9, 7:17, 7:23, 9:7, 9:10, 9:16, 10:2, 10:8, 10:13, 10:22, 11:4, 11:8, 11:11, 11:17, 12:2, 12:6, 12:11, 12:17, 12:12:23, 13:5, 13:13, 13:17, 13:18, 14:3, 14:7, 14:10, 14:11, 14:12, 14:22, 15:6, 15:8, 15:23, 16:2, 16:8, 16:15, 16:18, 16:19, 17:8, 17:13, 17:17, 17:19, 18:4, 18:7, 18:10, 18:17, 18:24, 19:3, 19:15, 19:18, 20:1, 20:12, 20:14, 20:15, 22:5, 22:14, 22:15, 22:22, 22:25, 23:21, 23:23, 23:25, 25:4, 25:9, 25:11, 25:17, 25:22, 25:25, 26:9, 26:12, 26:20, 26:23, 27:3, 27:13, 28:10, 28:12, 28:20,	28:23, 29:15, 29:21, 30:1, 30:5, 30:9, 30:14, 30:18, 30:22, 31:4, 31:9, 31:18, 31:22, 31:25, 32:7, 32:15, 32:23, 33:6, 33:11, 33:15, 33:19, 33:22, 34:3, 34:8, 34:9, 34:10, 34:14, 34:21	order [11] - 5:12, 5:20, 6:17, 20:2, 20:6, 20:18, 21:17, 23:19, 25:6, 25:24, 34:13 ordering [1] - 20:3 originally [1] - 25:9 otherwise [1] - 31:21 outside [1] - 29:3 oversee [1] - 5:24 overwhelmed [1] - 11:16 owe [2] - 23:5, 27:16 owed [1] - 23:8 own [4] - 5:2, 10:6, 15:10, 16:10
K	M	N	P	
kind [5] - 6:20, 18:22, 23:11, 24:8, 25:23 KRCMAR [2] - 22:14, 25:9 Krcmar [2] - 3:11, 4:25	Madison [2] - 3:11, 3:15 mail [2] - 17:23, 17:24 marcella [1] - 4:18 Marcella [1] - 3:15 March [5] - 30:19, 33:3, 33:9, 33:15, 33:17 Marcie's [1] - 13:19 material [1] - 6:24 matter [4] - 4:15, 5:11, 11:24, 15:20 matters [3] - 5:6, 34:6, 34:23 mean [2] - 13:22, 32:17 meet [1] - 31:1 merits [1] - 20:5 MIDDLETON [59] - 1:4, 2:3, 2:21, 5:4, 7:17, 9:7, 9:10, 9:16, 10:13, 10:22, 11:4, 11:8, 11:11, 11:17, 12:2, 12:6, 12:11, 12:17, 12:23, 13:5, 13:13, 13:17, 14:7, 14:12, 17:13, 17:17, 18:10, 18:17, 18:24, 19:15, 19:18, 20:14, 22:22, 22:25, 23:23, 25:25, 26:20, 27:3, 27:13, 28:10, 28:12, 30:1, 30:18, 31:4, 31:9, 31:18, 31:22, 31:25, 32:7, 32:15, 32:23, 33:6, 33:11, 33:15, 33:19, 34:3, 34:10, 34:14, 34:21 Middleton [21] - 4:10, 5:2, 6:6, 7:12, 7:13, 7:19, 8:8, 9:6, 13:20, 15:11, 16:3, 16:5, 17:5, 17:12, 19:9, 22:6, 22:21, 28:7, 30:24, 33:3, 34:1 Middleton's [1] - 20:4 might [4] - 17:2, 17:3, 18:1, 19:1 minute [1] - 6:14 minutes [1] - 28:1 Miss [21] - 6:6, 7:12, 7:13, 7:19, 8:8, 9:5, 11:22, 13:19, 15:11, 16:3, 16:5, 17:5,	name [1] - 4:14 nature [1] - 5:21 necessary [1] - 20:16 need [9] - 5:7, 6:8, 12:23, 12:24, 23:18, 24:15, 27:11, 31:7, 34:6 new [7] - 10:20, 13:12, 14:1, 14:19, 14:25, 15:1, 21:16 next [2] - 28:19, 30:20 Ninth [1] - 3:8 non [1] - 6:24 non-disputed [1] - 6:24 normal [1] - 8:9 normally [1] - 15:21 nothing [4] - 12:7, 14:25, 23:8, 28:3 notice [5] - 20:8, 21:2, 21:11, 21:13, 31:3 notices [2] - 20:25, 21:4 number [4] - 4:12, 26:3, 31:15, 32:13	P.O [2] - 1:21, 3:16 paid [2] - 23:16, 25:18 paragraph [1] - 22:10 part [1] - 15:16 participate [1] - 31:15 parties [8] - 5:22, 8:25, 16:10, 16:11, 32:11, 32:14, 36:12, 36:15 pass [1] - 33:14 past [4] - 20:9, 27:23, 28:3 pay [3] - 21:21, 23:7, 24:15 payments [1] - 23:2 pending [3] - 2:20, 5:6, 20:4 people [1] - 31:6 perfectly [1] - 8:24 person [2] - 32:8, 32:11 personal [2] - 34:12, 34:18 Peters [3] - 2:17, 4:7, 7:20 phone [7] - 15:17, 17:14, 23:1, 31:8, 32:2, 34:12, 34:18 phones [2] - 32:4, 32:20 phonetic [1] - 15:18 place [1] - 31:6 Plains [1] - 30:12 Plaintiff [1] - 36:14 plus [1] - 25:17 point [2] - 7:18, 34:25 portion [1] - 29:1 possibly [1] - 17:6 practical [1] - 15:20 pre [18] - 6:13, 6:14, 8:3, 8:5, 8:7, 8:9, 8:11, 8:24, 9:3, 10:1,	
L		O		
LAW [2] - 1:15, 3:3 law [1] - 4:15 lay [2] - 8:15, 8:18 laying [2] - 9:22, 26:14 leading [1] - 6:8 leave [4] - 5:22, 6:3, 10:9, 18:3 letter [1] - 23:13 Lewis [1] - 3:7 Library [2] - 2:16, 4:6 live [2] - 15:16, 15:21 lives [1] - 7:19 LLP [1] - 3:7 location [2] - 32:21, 32:22 lock [1] - 12:8 look [1] - 22:9 looking [2] - 24:13,		o'clock [2] - 2:14, 2:15 objection [1] - 19:17 obviously [1] - 17:4 occur [2] - 6:8, 6:20 occurs [1] - 7:21 OF [5] - 1:2, 2:1, 2:12 offer [1] - 8:7 office [2] - 7:22, 7:24 once [1] - 12:13 one [7] - 10:17, 14:5, 21:1, 26:3, 28:18, 30:15, 32:25 opinions [1] - 8:6 opportunities [1] - 15:4 opportunity [8] - 10:6, 11:20, 16:11, 16:17, 19:8, 26:11, 30:25, 34:1		

<p>10:19, 10:20, 14:1, 14:15, 14:20, 15:20, 17:22, 19:20</p> <p>pre-file [3] - 8:11, 9:3, 15:20</p> <p>pre-filed [14] - 6:13, 6:14, 8:3, 8:5, 8:7, 8:9, 8:24, 10:1, 10:19, 10:20, 14:1, 14:15, 14:20, 19:20</p> <p>pre-filing [1] - 17:22</p> <p>preclude [1] - 9:18</p> <p>prefer [2] - 16:9, 22:1</p> <p>preference [4] - 9:5, 9:9, 10:10, 16:13</p> <p>PREHEARING [2] - 1:14, 2:12</p> <p>prehearing [11] - 18:22, 19:13, 26:7, 26:17, 28:14, 29:11, 29:24, 31:11, 31:14, 32:18, 34:25</p> <p>preliminary [1] - 5:6</p> <p>PRIMO [1] - 1:21</p> <p>problem [3] - 24:9, 25:23, 27:20</p> <p>procedural [14] - 4:9, 5:21, 5:23, 6:22, 9:25, 11:22, 11:25, 14:23, 19:12, 19:21, 29:18, 29:19, 30:20, 31:11</p> <p>proceed [2] - 11:12, 29:2</p> <p>PROCEEDINGS [1] - 4:1</p> <p>produced [1] - 2:13</p> <p>proposed [1] - 5:23</p> <p>provide [4] - 17:11, 17:22, 21:10, 21:13</p> <p>provided [1] - 4:23</p> <p>Public [4] - 2:20, 4:19, 8:12, 34:20</p> <p>PUBLIC [3] - 1:1, 2:1, 3:14</p> <p>purpose [1] - 25:6</p> <p>pursuant [1] - 21:19</p> <p>put [2] - 17:24, 30:2</p>	<p>21:24, 32:8</p> <p>real [1] - 13:8</p> <p>really [4] - 22:5, 22:17, 24:8, 31:25</p> <p>reason [1] - 27:12</p> <p>reasons [1] - 26:14</p> <p>rebut [1] - 16:11</p> <p>rebuttal [7] - 10:5, 15:3, 15:11, 15:25, 16:5, 16:14, 16:21</p> <p>receive [4] - 21:14, 28:25, 29:5, 31:2</p> <p>receiving [1] - 21:2</p> <p>recent [1] - 23:2</p> <p>record [7] - 4:4, 35:1, 36:5, 36:6, 36:7, 36:8, 36:12</p> <p>recorded [4] - 16:23, 17:14, 17:15, 23:4</p> <p>reduced [1] - 36:6</p> <p>regard [11] - 7:13, 8:7, 9:20, 12:21, 18:3, 19:10, 19:25, 26:11, 28:17, 31:13, 34:18</p> <p>regarding [1] - 5:11</p> <p>regards [1] - 8:3</p> <p>regulatory [1] - 4:15</p> <p>REGULATORY [2] - 1:15, 3:3</p> <p>related [1] - 36:11</p> <p>relative [1] - 36:13</p> <p>report [1] - 5:17</p> <p>reported [1] - 24:6</p> <p>REPORTED [1] - 1:17</p> <p>Reporter [2] - 2:18, 36:4</p> <p>reporter [1] - 4:23</p> <p>REPORTING [1] - 1:21</p> <p>REPRESENTATIVE [1] - 3:10</p> <p>representative [1] - 4:25</p> <p>request [1] - 11:25</p> <p>requested [1] - 6:9</p> <p>required [2] - 21:10, 24:2</p> <p>respond [6] - 16:17, 24:1, 26:15, 26:16, 29:7, 29:10</p> <p>Respondent [4] - 1:11, 2:8, 2:23, 4:12</p> <p>response [2] - 33:4, 33:17</p> <p>retain [1] - 11:2</p> <p>returned [1] - 36:8</p> <p>road [3] - 13:3, 26:18, 26:25</p> <p>Road [3] - 2:16, 2:17, 4:6</p> <p>Room [1] - 2:16</p>	<p>room [1] - 4:6</p> <p>rule [1] - 24:20</p> <p>ruled [1] - 5:7</p> <p>rules [1] - 21:20</p> <p>ruling [1] - 33:13</p>	<p>S</p> <p>Sarah [2] - 3:7, 4:21</p> <p>schedule [13] - 5:23, 6:22, 10:1, 11:23, 12:1, 14:24, 17:10, 18:21, 19:4, 19:7, 19:12, 19:21, 29:20</p> <p>schedules [1] - 16:21</p> <p>second [1] - 21:7</p> <p>see [6] - 14:7, 18:11, 18:23, 19:9, 26:6, 31:5</p> <p>seek [1] - 21:8</p> <p>seem [1] - 25:7</p> <p>September [1] - 20:2</p> <p>serve [1] - 10:19</p> <p>Service [4] - 2:20, 4:19, 8:12, 34:20</p> <p>service [3] - 16:23, 20:4, 21:20</p> <p>SERVICE [3] - 1:1, 2:1, 3:14</p> <p>set [14] - 4:8, 6:19, 11:22, 13:2, 14:24, 18:15, 26:7, 26:17, 29:24, 30:21, 32:5, 32:7, 32:10, 32:21</p> <p>shaking [1] - 22:21</p> <p>show [3] - 9:1, 9:2, 24:3</p> <p>showing [3] - 21:3, 24:13, 35:2</p> <p>shows [1] - 24:10</p> <p>side [1] - 20:24</p> <p>significant [1] - 26:5</p> <p>sit [1] - 25:19</p> <p>small [2] - 8:4, 8:22</p> <p>Smith [1] - 3:7</p> <p>so.. [2] - 12:25, 30:15</p> <p>someone [2] - 11:18, 14:9</p> <p>sorry [1] - 29:19</p> <p>sounds [2] - 18:25, 25:13</p> <p>Spencer [3] - 2:16, 2:17, 4:6</p> <p>St [5] - 1:22, 2:17, 4:7, 7:20, 7:21</p> <p>Stacy [1] - 2:18</p> <p>STACY [3] - 1:17, 36:3, 36:19</p> <p>staff [9] - 4:17, 4:19, 5:7, 5:17, 5:24, 7:10,</p>	<p>7:12, 11:22, 34:7</p> <p>Staff [1] - 3:14</p> <p>stand [1] - 8:17</p> <p>starting [1] - 4:17</p> <p>STATE [2] - 1:2, 2:1</p> <p>State [3] - 2:19, 2:21, 36:4</p> <p>state [1] - 23:19</p> <p>statements [1] - 36:7</p> <p>stay [1] - 7:14</p> <p>still [3] - 9:19, 9:21, 32:21</p> <p>stipulation [1] - 6:24</p> <p>stipulations [1] - 6:21</p> <p>Street [2] - 3:8, 3:15</p> <p>subject [1] - 21:5</p> <p>subsequent [2] - 15:2, 20:21</p> <p>subtracted [1] - 25:2</p> <p>sudden [1] - 23:10</p> <p>sufficient [6] - 7:3, 13:4, 27:2, 28:8, 29:25, 31:17</p> <p>suggest [1] - 33:9</p> <p>suggestion [2] - 13:19, 15:24</p> <p>Suite [1] - 3:8</p> <p>supervisor [2] - 27:25, 28:2</p> <p>supposed [1] - 15:10</p> <p>surrebuttal [6] - 10:5, 15:3, 16:6, 16:7, 16:12, 16:17</p> <p>suspend [4] - 20:17, 24:2, 24:17, 27:10</p> <p>suspended [3] - 20:7, 24:6, 25:10</p> <p>suspending [1] - 21:11</p> <p>sworn [1] - 2:13</p> <p>systems [1] - 32:2</p>	<p>14:16, 14:20, 16:4, 16:21, 19:20</p> <p>THE [5] - 1:1, 1:2, 2:1, 2:1, 3:14</p> <p>thinking [1] - 13:19</p> <p>thirty [4] - 28:8, 28:13, 28:15, 29:25</p> <p>today [11] - 4:24, 5:22, 6:3, 7:14, 12:8, 12:19, 21:15, 30:24, 34:7, 34:12, 35:2</p> <p>took [1] - 20:8</p> <p>transferred [2] - 20:20, 22:18</p> <p>true [5] - 22:23, 23:20, 27:14, 27:17, 36:7</p> <p>try [2] - 12:4, 32:21</p> <p>trying [4] - 15:9, 15:19, 16:22, 17:9</p> <p>turns [1] - 14:16</p> <p>twenty [1] - 28:1</p> <p>two [8] - 10:16, 13:3, 22:16, 26:18, 26:24, 27:1, 30:10, 33:1</p>
			<p>T</p> <p>TAKEN [1] - 1:15</p> <p>tape [1] - 28:5</p> <p>ten [2] - 26:15, 29:6</p> <p>tendency [1] - 26:3</p> <p>tentative [2] - 12:21</p> <p>terms [1] - 17:5</p> <p>testify [1] - 9:2</p> <p>testifying [4] - 6:17, 6:18, 8:10, 9:21</p> <p>testimony [27] - 6:13, 6:15, 8:3, 8:5, 8:7, 8:9, 8:11, 8:13, 8:25, 9:3, 9:20, 9:23, 10:1, 10:4, 10:7, 10:19, 10:21, 12:22, 13:21, 13:23, 14:2, 14:15,</p>	<p>U</p> <p>undisputed [1] - 21:22</p> <p>Union [1] - 4:11</p> <p>UNION [3] - 1:9, 2:6, 2:22</p> <p>unless [1] - 5:18</p> <p>up [15] - 5:11, 5:13, 5:20, 5:23, 6:8, 6:20, 9:1, 9:2, 19:23, 23:16, 24:3, 25:18, 32:8, 34:15, 35:2</p> <p>upload [1] - 15:18</p> <p>usual [1] - 6:23</p>	
			<p>V</p> <p>verify [1] - 7:5</p> <p>versus [2] - 2:22, 4:11</p> <p>vs [2] - 1:7, 2:5</p>	<p>W</p> <p>Wainwright [1] - 7:24</p> <p>week [4] - 28:20, 28:22, 30:6, 32:25</p> <p>weeks [6] - 26:18, 26:24, 27:1, 28:19, 30:10, 33:1</p> <p>welcome [2] - 11:7, 11:24</p> <p>willing [3] - 8:24, 9:4, 12:15</p> <p>wish [4] - 8:25, 21:8, 32:12, 32:14</p>	
<p>Q</p> <p>questions [5] - 8:16, 9:14, 9:20, 27:22, 34:19</p> <p>quick [1] - 27:6</p> <p>quickly [1] - 33:13</p>					
<p>R</p> <p>rather [4] - 9:10, 9:14,</p>					

witnesses [1] - 8:23
wondering [1] - 15:13
word [1] - 27:21
words [3] - 8:11, 9:1,
20:7
write [3] - 8:21, 9:14,
14:24
writing [1] - 36:6
written [1] - 24:21

Y

yourself [2] - 8:16,
9:15