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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

HEARING

July 16, 2002  
Jefferson City, Missouri  
Volume 5

The Staff of the Missouri Public Service Commission,	)	
	)	
Complainant,	)	Case No. EC-2002-1
	)	
Vs.	)	
	)	
Union Electric Company, d/b/a AmerenUE,	)	
	)	
Respondent.	)	

BEFORE:

LEWIS R. MILLS, JR., Presiding,  
DEPUTY CHIEF REGULATORY LAW JUDGE.

REPORTED BY:

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1 PROCEEDINGS  
 2 JUDGE MILLS: We're on the record this  
 3 morning to resume the -- briefly resume the hearing in  
 4 Case No. EC-2002-1.  
 5 The parties have this morning filed a  
 6 Stipulation and Agreement that resolves all issues  
 7 with most of the parties. There are at least two  
 8 parties that are not signatories, that being Kansas

9 City Power & Light Company and Laclède Gas Company.  
10 I've had representations from some of the parties that  
11 are signatories that neither of those utilities are  
12 likely to oppose the Stipulation or request a hearing  
13 on it pursuant to 4 CSR 240-2.110, but, of course,  
14 that rule does give them five days for that  
15 opportunity.

16 Mr. Fischer?

17 MR. FISCHER: Your Honor, on behalf of  
18 Kansas City Power & Light Company, I confirm that, as  
19 far as my client is concerned, we will be making a  
20 filing saying we neither support nor oppose the  
21 Stipulation and Agreement and we will waive our right  
22 to a hearing.

23 JUDGE MILLS: Certainly that will help with  
24 the time if we don't have to wait the full five days.

25 And if someone is in touch with the Laclède

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1 Gas Company and could convince them to file something  
2 rather than waiting the five days, that would speed  
3 things up as well.

4 Mr. Dottheim?

5 MR. DOTTHEIM: Judge Mills, the last contact  
6 I had with Laclède Gas was yesterday morning. I do  
7 believe they will be in Jefferson City on other  
8 business today, but I don't know that they are in the  
9 hearing room at this moment.

10 JUDGE MILLS: I don't believe so. I looked  
11 around before we went on the record.

12                   Okay. This morning -- we're going to go off  
13 the record in just a minute. I will suspend all  
14 further proceedings in this case until a date to be  
15 announced later. After we're off the record, the  
16 Commissioners have a regularly scheduled agenda  
17 meeting at 9:30 this morning. When they take up  
18 scheduling matters at that agenda, I'll discuss the  
19 timing of further proceedings in this case.

20                   I haven't had a chance to talk to all of  
21 them, but it's my belief that we will probably be  
22 having an on-the-record presentation which the parties  
23 will have a chance to present their views on the  
24 Stipulation and Agreement, and the Commissioners will  
25 have the opportunity to ask questions about the way it

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1 operates and the terms of the Stipulation.

2                   Timing of that is dependent to a certain  
3 extent on whether or not the two nonsignatories file,  
4 waiving their objections -- waiving any request for a  
5 hearing, and also to a certain extent on the timing of  
6 the filing of Staff's Suggestions in Support of the  
7 Stipulation and Agreement.

8                   But having said all of that, I think I've  
9 got a fairly good idea of how those two items are  
10 going to play out, so I think I'll be able to talk to  
11 the Commissioners in agenda and get an idea of when we  
12 might schedule an on-the-record presentation.

13                   Mr. Dottheim?

14 MR. DOTTHEIM: Judge Mills, as far as  
15 scheduling, there are offhand only two Staff witnesses  
16 next week who I think would not be available.  
17 Dr. Proctor will not be available for a period of  
18 time, and there is one other Staff witness, because of  
19 health reason, that will not be available. But there  
20 will be other individuals who will be available to  
21 attempt to answer any questions that the Commissioners  
22 or you might have.

23 JUDGE MILLS: Okay. All right. And,  
24 certainly, if any of the parties know of -- I don't  
25 know whether or not we will need witnesses. We

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1 certainly won't need all 72, 47, whatever it was, the  
2 final number. I know we won't need all of them, but  
3 if you do know of witness conflicts in the next week  
4 or so, please let me know and we can factor that into  
5 account.

6 Anything further?

7 (No response.)

8 JUDGE MILLS: Well, I want to thank you-all  
9 for your hard work. I've been there. I know the long  
10 hours you've put in. I know the frustration you've  
11 sometimes felt, and I know the relief you feel now. I  
12 think we all appreciate what you've done, and we'll  
13 see you again when we do an on-the-record  
14 presentation.

15 Anything further?

16 (No response.)

17 JUDGE MILLS: Hearing nothing, we're  
18 adjourned.

19 WHEREUPON, the hearing of this case was  
20 continued to a date to be fixed by the Commission.

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