

1 STATE OF MISSOURI  
2 PUBLIC SERVICE COMMISSION  
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6 TRANSCRIPT OF PROCEEDINGS  
7 Settlement Conference  
8 August 28, 2006  
9 Jefferson City, Missouri  
Volume 4

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12 In the Matter of the Application )  
of Kansas City Power & Light )  
13 Company for Approval to Make )  
Certain Changes in Its Charges for ) Case No. ER-2006-0314  
14 Electric Service to Begin the )  
Implementation of Its Regulatory )  
15 Plan )

16 RONALD D. PRIDGIN, Presiding,  
REGULATORY LAW JUDGE.

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21 REPORTED BY:

22 KELLENE K. FEDDERSEN, CSR, RPR, CCR  
MIDWEST LITIGATION SERVICES

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20 FOR: City of Kansas City.

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6 FOR: Missouri Department of Natural  
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13 FOR: Missouri Industrial Energy Consumers.  
14 Ford Motor Company.

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FOR: AARP.

1 EDWARD F. DOWNEY, Attorney at Law  
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6 FOR: Wal-Mart Stores East, L.P.

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11 FOR: U.S. Department of Energy.

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17 FOR: Office of the Public Counsel  
18 and the Public.

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25 FOR: Staff of the Missouri Public  
Service Commission.

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

2 JUDGE PRIDGIN: Let's go on the record.

3 This is the settlement conference in the KCP&L rate case,  
4 Case No. ER-2006-0314. Let me get entries of appearance  
5 from counsel, and then I'll ask if there's anything that  
6 counsel needs to bring to my attention, and then I will  
7 get out of here and let you talk.

8 Entries of appearance, beginning with  
9 Staff, please.

10 MR. DOTTHEIM: Kevin Thompson and Steven  
11 Dottheim, Post Office Box 360, Jefferson City, Missouri,  
12 65102, appearing on behalf of the Staff of the Missouri  
13 Public Service Commission.

14 JUDGE PRIDGIN: Mr. Dottheim, thank you.  
15 On behalf of the Office of the Public Counsel, please?

16 MR. MILLS: On behalf of the Office of the  
17 Public Counsel and the public, my name is Lewis Mills. My  
18 address is Post Office Box 2230, Jefferson City, Missouri  
19 65102.

20 JUDGE PRIDGIN: Mr. Mills, thank you. On  
21 behalf of US Department of Energy, acting on behalf of  
22 National Nuclear Security Administration, please?

23 MR. PHILLIPS: Yes. My name is Paul  
24 Phillips, 1000 Independence Avenue SW, Washington, D.C.  
25 20585; and Stephanie Bogart, 9500 -- I blanked out on the

1 address. I'll get the address for you. Kansas City,  
2 Missouri.

3 JUDGE PRIDGIN: Mr. Phillips, thank you.  
4 On behalf of the City of Kansas City, Missouri, please?

5 MR. COMLEY: Good morning, Judge. Mark W.  
6 Comley, Newman, Comley & Ruth, 601 Monroe Street here in  
7 Jefferson City, Missouri.

8 JUDGE PRIDGIN: Mr. Comley, thank you. On  
9 behalf of Missouri Gas Energy, please?

10 MS. CARTER: Diana Carter, Brydon,  
11 Swearngen & England, P.C., 312 East Capitol Avenue,  
12 Jefferson City, on behalf of Missouri Gas Energy, Aquila,  
13 and the Empire District Electric Company.

14 JUDGE PRIDGIN: Ms. Carter, thank you. On  
15 behalf of Trigen - Kansas City Energy Corporation, please?

16 MR. STEWART: Charles Brent Stewart, law  
17 firm of Stewart & Keevil, LLC, 4603 John Garry Drive,  
18 Suite 11, Columbia, Missouri 65203.

19 JUDGE PRIDGIN: Mr. Stewart, thank you. On  
20 behalf of jackson County, Missouri, please?

21 MR. FINNEGAN: On behalf of Jackson County,  
22 Jeremiah Finnegan, Finnegan, Conrad & Peterson,  
23 3100 Broadway, Suite 1209, Kansas City, Missouri 64111.

24 JUDGE PRIDGIN. Mr. Finnegan, thank you.  
25 On behalf of AARP, please?

1                   MR. COFFMAN: Appearing on behalf of AARP,  
2 John B. Coffman, 871 Tuxedo Boulevard, St. Louis, Missouri  
3 63119.

4                   JUDGE PRIDGIN: Mr. Coffman, thank you. On  
5 behalf of Missouri Industrial Energy Consumers, please?

6                   MS. VUYLSTEKE: Diana Vuylsteke, Bryan  
7 Cave, LLP, 211 North Broadway, Suite 3600, St. Louis,  
8 Missouri 63102.

9                   JUDGE PRIDGIN: Ms. Vuylsteke, thank you.  
10 On behalf of Wal-Mart Stores East, LP, please?

11                  MR. DOWNEY: Edward F. Downey, Bryan Cave,  
12 LLP, 221 Bolivar, Suite 101, Jeff City, Missouri.

13                  JUDGE PRIDGIN: Mr. Downey, thank you. On  
14 behalf of Missouri Department of Natural Resources,  
15 please?

16                  MS. WOODS: Shelley Woods, Assistant  
17 Attorney General, Post Office Box 899, Jefferson City,  
18 Missouri 65102, appearing on behalf of the Missouri  
19 Department of Natural Resources.

20                  JUDGE PRIDGIN: Ms. Woods, thank you. On  
21 behalf of Praxair, Incorporated, please?

22                  MR. CONRAD: Stuart W. Conrad, Finnegan,  
23 Conrad & Peterson, 3100 Broadway, Suite 1209, Kansas City,  
24 Missouri 64111. I would also enter the appearance, if  
25 your Honor please, of David L. Woodsmall of our office

1 here in Jefferson City, which is located at 428 East  
2 Capitol, Jefferson City, Missouri 65101.

3 JUDGE PRIDGIN: Mr. Conrad, thank you. On  
4 behalf of Ford Motor Company, please?

5 MS. VUYLSTEKE: Diana Vuylsteke, Bryan  
6 Cave, LLP, 211 North Broadway, Suite 3600, St. Louis,  
7 Missouri 63102.

8 JUDGE PRIDGIN: Thank you. On behalf of  
9 Missouri Joint Municipal and Electric Utility Commission,  
10 please? No appearance on their behalf.

11 On behalf of KCP&L, please?

12 MR. FISCHER: James M. Fischer, Fischer &  
13 Dority, PC, 101 Madison Street, Suite 400, Jefferson City,  
14 Missouri 65101. Also later in the proceeding will be  
15 appearing Carl Zobrist, Bill Riggins and Curtis Blanc.

16 JUDGE PRIDGIN: Mr. Fischer, thank you.  
17 Have I missed anyone?

18 (No response.)

19 JUDGE PRIDGIN: Okay. I do know we have a  
20 pending application to intervene from Mr. Diaz. Hopefully  
21 I can get the Commission to rule on that this week, next  
22 week at the latest, so the parties will know how to  
23 proceed from there.

24 I also have a motion to compel some  
25 discovery that I received from Trigen, I think this



1 morning. I was gone Friday. And Mr. Fischer, as a heads  
2 up, they've asked for expedited treatment. I'm going to  
3 order KCP&L to respond to the motion by Friday. An Order  
4 will come out today, but just to let you know now instead  
5 of waiting to later in the day.

6 MR. FISCHER: Okay. We hope to be able to  
7 narrow that dispute. Given the fact the settlement  
8 conference goes all week and Friday may be the day we  
9 really get down to brass tacks, if it would be possible to  
10 have to Monday, that would be helpful to me.

11 JUDGE PRIDGIN: That will be fine, if it  
12 looks like you're leaning that direction. I can't recall  
13 if the Order's gone out. If the Order hasn't gone out  
14 and -- somebody is here for Trigen, right, somebody  
15 entered an appearance?

16 MR. STEWART: Yes.

17 JUDGE PRIDGIN: I'm sorry. Mr. Keevil  
18 filed the motion. I don't know if you need to talk to  
19 Mr. Keevil about that or if you can answer --

20 MR. STEWART: All I know is he asked for  
21 expedited treatment just due to the upcoming testimony  
22 deadline, so the sooner the better basically.

23 JUDGE PRIDGIN: Sure. I understand.

24 MR. STEWART: One day won't kill us.

25 JUDGE PRIDGIN: Let me just let you folks

1 discuss it. If Friday looks like it's going to be tough  
2 for you, and obviously if Trigen doesn't object, I'll be  
3 glad to extend that to Monday, or I guess it would be  
4 Tuesday since Monday's Labor Day.

5 MR. FISCHER: Oh, that's right.

6 JUDGE PRIDGIN: That's another reason I  
7 kind of tried to move things along.

8 MR. FISCHER: Hopefully we can narrow the  
9 issues.

10 MR. CONRAD: Just wanted to let you know,  
11 for the benefit of the record, that I did have my brass  
12 tacks today, but I will try to have them here Friday.

13 JUDGE PRIDGIN: Very good. Very good.  
14 Anything else from counsel? I don't know if I have any  
15 other pending motions.

16 MR. PHILLIPS: Judge Pridgin, I remembered  
17 the address. It's 9500 Bannister Road.

18 JUDGE PRIDGIN: Thank you. Is there -- I  
19 don't think there's anything else I have for counsel. Is  
20 there anything else counsel needs to bring to my  
21 attention?

22 Okay. Hearing nothing. If I'm not  
23 mistaken, you have this room not only today but the entire  
24 week if you need it. I wouldn't expect you to physically  
25 need it this whole time, but obviously we've got a place

1 for you, and you're free to meet and discuss wherever  
2 you'd like.

3 Is there anything else counsel has for me  
4 before we go off the record? Okay. Hearing nothing, we  
5 will go off the record. That concludes the on-the-record  
6 portion on the settlement conference in Case No.  
7 ER-2006-0314. Thank you very much. We're off the record.

8 WHEREUPON, the recorded portion of the  
9 prehearing conference was concluded.

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