

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Application of The Empire )  
District Electric Company, The Empire District )  
Gas Company, Liberty Utilities (Midstates Natural ) **File No. AO-2018-0179**  
Gas) Corp., and Liberty Utilities (Missouri Water) )  
LLC for an Affiliate Transactions Rule Variance )

**APPLICANTS' AND STAFF'S LIST OF ISSUES, LIST AND ORDER OF WITNESSES,  
ORDER OF OPENING, AND ORDER OF CROSS-EXAMINATION**

**COME NOW** The Empire District Electric Company, The Empire District Gas Company, Liberty Utilities (Midstates Natural Gas) Corp., Liberty Utilities (Missouri Water) LLC (collectively "Applicants") and the Staff of the Missouri Public Service Commission ("Staff"), and hereby file their *Applicants' and Staff's List of Issues, List and Order of Witnesses, Order of Opening, and Order of Cross-Examination*.

1. Pursuant to the Commission's February 22, 2019 Order, the parties are to file a list of issues, order of witnesses, and order of cross-examination and opening by April 12. Applicants and Staff file this pleading in satisfaction of this order.

2. Applicants and Staff reached out to the Office of Public Counsel ("OPC"). However, the parties are unable to reach an agreement on the issues, because Applicants and Staff believe that issues raised by OPC are not proper issues. All parties are in agreement on the list and order of witnesses, order of opening statements, and the order of cross-examination.

3. For the reason stated above, Applicants and Staff file a pleading separate from OPC with a different list of issues.

**LIST OF ISSUES**

1. Should the Commission grant the Applicants a variance from Commission Rules 4 CSR 240-20.015(3)(A) and 4 CSR 240-40.015(3)(A), the bidding requirements of the Commission’s electric and gas affiliate transaction rules?

**ORDER OF OPENING STATEMENTS  
AND LIST AND ORDER OF WITNESSES**

**9:00 A.M. Opening Statements**

Applicants  
Staff  
OPC

**Testimony**

**Applicants:**

Mark Timpe

**Staff:**

Kim Bolin  
David Murray

**OPC:**

Robert Schallenberg

**ORDER OF CROSS EXAMINATION**

<b>Applicants’ Witness</b>	<b>Staff’s Witnesses</b>	<b>OPC’s Witness</b>
Staff	Applicants	Staff
OPC	OPC	Applicants

Respectfully submitted,

**/s/ Karen E. Bretz**

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**/s/ Diana C. Carter**

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or electronically mailed to all counsel of record this 12<sup>th</sup> day of April, 2019.

**/s/ Karen Bretz**