

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held by telephone
and internet audio conference
on the 24th day of June, 2020.

In the Matter of The Empire District)	
Electric Company's Filing for Authority to)	
Implement Rate Adjustments Related to)	<u>File No. ER-2020-0311</u>
the Company's Fuel and Purchased Power)	Tariff No. YE-2020-0214
Adjustment Required in 20 CSR)	
4240-20.090)	

ORDER SETTING PROCEDURAL SCHEDULE

Issue Date: June 24, 2020

Effective Date: June 24, 2020

On May 21, 2020, the Commission issued its *Order Rejecting Tariff to Change Fuel Adjustment Rates*. The Commission rejected a proposed substitute tariff sheet and ordered the parties to file a proposed procedural schedule, as required by Commission Rule 20 CSR 4240-20.090(8)(H).

After the parties met at a prehearing conference, The Empire District Electric Company, a Liberty Utilities company (Liberty-Empire) on June 16, 2020, filed a proposed procedural schedule on behalf of the parties. The Commission will adopt the proposed procedural schedule with the exception of the hearing date and associated preliminary deadlines.¹ As proposed by the parties, the Commission will order prehearing briefs that include position statements. Each party's prehearing brief must include concise statements of the party's position on each issue and citation to testimony where relevant.

¹ Parties and counsel who are aware of conflicts with the hearing date should inform the Commission promptly and provide availability for the weeks of September 7 and 14, 2020, excluding the holiday.

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is established:

Direct Testimony (Liberty-Empire)	June 30, 2020
Rebuttal Testimony (Staff and OPC)	July 27, 2020
Technical/Settlement Conference (phone)	11 a.m. August 4, 2020
Surrebuttal Testimony (All parties, optional)	August 7, 2020
Joint List of Issues	August 17, 2020
Prehearing Briefs with Position Statements	August 25, 2020
Evidentiary Hearing	9 a.m. September 10, 2020

2. The hearing shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. Those who require additional accommodations to participate in this hearing may call the Public Service Commission's hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

3. The parties shall comply with the following procedural requirements:

(A) Testimony shall be prefiled in compliance with Commission Rule 20 CSR 4240-2.130.

(B) Although not all parties may agree upon how each issue should be described, or on whether a listed issue is a proper issue in this case, the parties shall agree upon and Staff shall file a list of the issues to be heard, the witnesses to appear at hearing, the order in which witnesses will be called, and the order of cross-examination for each witness. The list of

issues shall be detailed enough to inform the Commission of each issue that must be resolved. The Commission will view any issue not contained in this list of issues as uncontested and not requiring resolution by the Commission.

(C) All pleadings, briefs and amendments shall be filed and served in accordance with Commission Rule 20 CSR 4240-2.080. Prehearing briefs shall include simple and concise statements summarizing the filing party's position on each disputed issue. Such position statements shall correspond to the list of issues. Position statements shall set forth any order requested, cite any law authorizing such relief, allege relevant facts and cite testimony in support.

(D) Beginning on July 1, 2020, the data request response period shall be shortened to eight days for objections and requests for additional time and 15 days for responses.

(E) Exhibit numbers for the hearing are assigned in the following manner:

Liberty-Empire	1-99
Commission Staff	100-199
Office of the Public Counsel	200-299

(F) Each party shall prepare a list of its prefiled, premarked exhibits and submit a copy of that list to every other party and to the regulatory law judge no later than September 8, 2020. The lists shall not be filed in the EFIS case file. Exhibits that may be offered during cross-examination and have not

been prefiled need not be included on such lists. Any such exhibits, if offered, will be assigned a number as stated above.

(G) If testimony or documents are prefiled and served upon the parties before hearing, a party need only provide a copy of the testimony or document to the court reporter to be marked as an exhibit at hearing. If an exhibit is not prefiled and served upon the parties, a party must provide sufficient copies for the court reporter, each Commissioner, the presiding officer and counsel for all other parties at hearing.

4. This order shall be effective on June 24, 2020.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Silvey, Chm., Kenney, Rupp, Coleman, and
Holsman CC., concur.

Jacobs, Regulatory Law Judge