

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

In the Matter of the Empire District Electric	)	
Company of Joplin, Missouri, for authority to file	)	
tariffs increasing rates for electric service provided	)	
to customers in the Missouri service area of the	)	Case No. ER-2008-0093
company.	)	

**JOINT PROPOSED PROCEDURAL SCHEDULE**

Comes now the Staff of the Commission and proposes the following procedural schedule for all the parties to this case, including The Empire District Electric Company (Empire), the Missouri Division of Natural Resources, Praxair, Inc., Explorer Pipeline Company, General Mills, Inc., and the Office of the Public Counsel:

1. On October 1, 2007, Empire filed proposed tariff sheets with the Commission with an effective date of October 31, 2007. On October 3, 2007, the Commission issued a Suspension Order and set the hearing in this case for May 12-23, 2008. At the early prehearing conference on November 5, 2007, the Commission ordered the parties to file a proposed procedural schedule by November 13, 2007.

2. The parties propose the following dates for the procedural schedule:

Direct Testimony - Revenue Requirement	Feb. 22, 2008
Non-Empire Parties	
Direct Testimony - Rate Design	March 7, 2008
Non-Empire Parties	
Local Public Hearings	March 12, 13, 2008
Settlement Conference	March 17-21, 2008
Preliminary List of Issues (not to be filed)	March 21, 2008
Rebuttal Testimony – All Parties	April 4, 2008
Revenue Requirement and Rate Design	

Surrebuttal and Cross-Surrebuttal Testimony	April 25, 2008
All Parties – Revenue Requirement and Rate Design	
Issue List/Reconciliation	
Witness List/Order of Cross	May 2, 2008
Statements of Positions	May 7, 2008
Evidentiary Hearings	May 12-23, 2008

3. The parties request that the following matters be reflected in the Commission's order setting the procedural schedule:
  - a. Copies of testimony, exhibits and pleadings shall be provided to other counsel by electronic means and in electronic form essentially concurrently with the filing of such testimony, exhibits or pleadings.
  - b. Effort will be made to not include in data requests highly confidential or proprietary information. If either highly confidential or proprietary information is included in data requests, the highly confidential or proprietary information should be appropriately designated as such pursuant to 4 CSR 240-2.135.
  - c. Copies of data requests are to be electronically provided to counsel for each party. If a party desires the response to a data request that has been served on another party, the party desiring a copy of the response must request it from the party who answered the data request. By this process the party who originally provided the response has the opportunity to object to that response being provided to a third party and relieves the party who originally obtained the response from the responsibility of copying information the party who gave the response claimed was highly confidential or proprietary. Thus, if a party wants a copy of an Empire response to a Staff data request, the party should ask Empire for its response, not the Staff.
  - d. Until the March 21, 2008 date ending the settlement conference, the response time for all data requests is twenty (20) calendar days, and the time to object or notify that more than twenty (20) calendar days will be needed to provide the requested information is ten (10) days.
  - e. After March 21, 2008, the response time for data requests is ten (10) calendar days, and the time to object or notify that more than ten (10) days will be needed to provide the requested information is seven (7) business days.

- f. Workpapers associated with the filing of testimony that were prepared in the course of developing that testimony are not to be filed with the Commission, but are to be submitted to each party within two (2) business days following when the associated testimony is filed. Workpapers containing highly confidential or proprietary information should be appropriately marked. Since workpapers for certain parties may be voluminous and some parties may not desire all or part of them, a party shall be relieved of providing workpapers to another party to the extent the party who is to receive them informs the party who is to provide them what workpapers it does not want. If workpapers associated with testimony do not exist, the party of whom the workpapers are sought shall affirmatively state that workpapers do not exist.
- g. Where workpapers or data request responses include models or spreadsheets or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in outputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format.
- h. Each party shall pre-mark its exhibits in ascending whole number numerical order prefixing the number with a unique shorthand designation. For example Staff may use the designation Staff-1 for its first exhibit.
- i. For purposes of this case, the parties request the Commission waive 4 CSR 240-2.045(2) and 2.080(11) and treat filings made in the Commission's Electronic Filing and Information System as timely filed if filed before midnight on the date the filing is due.
- j. Anticipating they will not be able to agree on statements of the issues that comply with Commission Rule 4 CSR 240-2.080(21), for purposes of the list of issues, the parties request the Commission waive the requirements of that rule.

**Wherefore,** in response to the Commission's Order the Staff files this joint proposed procedural schedule and makes the foregoing requests on behalf of itself and the other parties to this case.

Respectfully submitted,

/s/ Steven C. Reed

Steven C. Reed  
Litigation Counsel  
Missouri Bar No. 40616

Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751-3015 (telephone)  
(573) 751-9285 (facsimile)  
[steven.reed@psc.mo.gov](mailto:steven.reed@psc.mo.gov) (e-mail)

### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 13th day of November, 2007.

/s/ Steven C. Reed