

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

In the Matter of the Request of the Empire)
District Electric Company d/b/a Liberty for)
Authority to File Tariffs Increasing Rates)
For Electric Service Provided to Customers)
In its Missouri Service Area

File No.ER-2021-0312

PROPOSED PROCEDURAL SCHEDULE

COMES NOW the Staff (“Staff”) of the Missouri Public Service Commission (“Commission”), by and through the undersigned counsel, and states that on May 28, 2021, the Empire District Electric Company d/b/a Liberty (“Empire”) filed a request for authority to implement a general rate increase for electric service. On behalf of the following parties to this case: Empire, Missouri Energy Consumers Group (“MECG”), City of Ozark, Empire District Retired Members and Spouses Association, LLC, Renew Missouri, and the Empire District Electric Company SERP Retirees, LLC (collectively, “Parties”), Staff respectfully submits the following Proposed Procedural Schedule.

Proposed Procedural Schedule

1. The Parties request that the Commission adopt the following procedural Schedule:

<u>Event</u>	<u>Date</u>
Filing Date	May 28, 2021
Discovery Conference	August 19, 2021
Update Documentation provided By Empire	August 27, 2021
Discovery Conference	September 16, 2021
Discovery Conference	October 21, 2021
Staff / Intervener Direct Testimony-	October 29, 2021

Revenue Requirement	
Staff / Intervener Direct Testimony – Rate Design	November 17, 2021
Discovery Conference	November 18, 2021
Settlement Conference	December 6, 2021
Discovery Conference	December 14, 2021
Rebuttal Testimony	December 20, 2021
Settlement Conference	January 5, 2022
Discovery Conference	January 13, 2022
Surrebuttal Testimony	January 14, 2022
Preliminary Reconciliation Circulated To Parties	January 17, 2022
List of Issues, Order of Witnesses and Order of Cross Examination	January 24, 2022
Statements of Position	January 26, 2022
Final Reconciliation (to be filed) and Cut-off for Discovery and Depositions	January 28, 2022
Evidentiary Hearing	January 31-February 10, 2022
Initial Briefs	February 25, 2022
Responsive Briefs	March 11, 2022
Operation of Law Date	April 25, 2022

Test Year, True-Up, and Update Period

2. The Parties shall utilize a test year starting October 1, 2019, and ending September 30, 2020, updated through June 30, 2021.

3. Although parties are not requesting a true-up at this time, parties retain the right to request one at a later date if the audit and evidence justify one.

Discovery Procedures

4. The Parties request that the Commission adopt the following procedures regarding discovery:

- a. All parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel of record by electronic means and in electronic form essentially concurrently with the filing of such testimony,

exhibits or pleadings where the information is available in electronic format. Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.

- b. Parties shall make all reasonable efforts to not include confidential information in data request questions. If confidential information must be included in data request questions, the confidential information will be appropriately designated as such pursuant to 4 CSR 240-2.135.
- c. Data requests issued to or by Staff shall be submitted and responded to in the Commission's Electronic Filing and Information System ("EFIS"), if feasible, or in electronic format on compact disc or by other means agreed to by counsel, if infeasible. Counsel for each party shall receive electronically from each other party serving a data request, an electronic copy of the text of the "description" of that data request contemporaneously with service of the data request. Regarding Staff-issued data requests, if the description contains confidential information, or is voluminous, a hyperlink to the EFIS record of that data request shall be considered a sufficient copy. 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 a copy of the response from the party answering the data request. Data requests, objections to data requests, and notifications respecting the need for additional time to respond to data requests shall be sent by e-mail to counsel for the other parties. Counsel may designate other personnel to be added to the service list for data requests, but shall assume responsibility for compliance with any restrictions on confidentiality. Data request responses shall be served on counsel for the requesting party, unless waived by counsel, and on the requesting party's employee or representative who submitted the data request, and shall be served electronically, if feasible and not voluminous as defined by Commission rule.

- d. Until the filing of Staff/Intervener Revenue Requirement testimony, the response time for all data requests shall be 20 calendar days, and 10 calendar days to object or notify that more than 20 calendar days will be needed to provide the requested information. After the filing of Staff/Intervener Revenue Requirement testimony on October 29, 2021, the response time for data requests shall be 15 calendar days to provide the requested information, and 8 calendar days to object or notify that more than 15 calendar days will be needed to provide the requested information. After the filing of Rebuttal testimony on December 20, 2021, the response time for data requests shall be 5 business days to provide the requested information, and 2 business days to object or notify that more than 5 business days will be needed to provide the requested information. Data requests sent after 5:00 pm will be considered served on the next business day.
- e. Workpapers prepared in the course of developing a witness' testimony (including schedules) and exhibits shall not be filed with the Commission, but shall be submitted to each party within 2 business days following the filing of the particular testimony. Workpapers containing confidential information shall be appropriately marked. Counsel shall undertake to advise other counsel if the sponsored witness has no workpapers related to the round of testimony.
- f. 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 inputs or outputs, the party providing the workpaper or response shall provide this type of information in that original format with formulas intact. Workpapers shall be provided in electronic format by e-mailing or by delivery of a compact disc or other electronic storage media.

- g. Documents filed in EFIS shall be considered properly served by serving the same on counsel of record for all other parties via e-mail.

WHEREFORE, on behalf of the Parties, Staff respectfully submits this proposed procedural schedule in compliance with the Commission's July 13, 2021 order.

Respectfully submitted,

/s/ Nicole Mers

Nicole Mers

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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing were served electronically to all counsel of record on this 23rd day of July, 2021.

/s/ Nicole Mers