

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

Office of the Public Counsel,)	
)	
Complainant,)	
)	
v.)	Case No. GC-2016-0297
)	
Laclede Gas Company, and Missouri Gas)	
Energy,)	
)	
Respondents)	

PROPOSED PROCEDURAL SCHEDULE

COME NOW the Office of the Public Counsel (“OPC”), Consumers Counsel of Missouri, the Missouri Energy Consumers Group, and the Missouri Industrial Energy Consumers, and for their Proposed Procedural Schedule state as follows:

1. OPC initiated this case on April 26, 2016 when it filed its Complaint against Laclede Gas Company and Missouri Gas Energy (collectively “Laclede”) alleging Laclede’s rates as unjust and unreasonable. OPC anticipated the parties to this case would follow the Commission’s discovery rules requiring answers to discovery within twenty days. With that in mind, and consistent with OPC’s request to expedite this case, it has been OPC’s objective to file direct testimony approximately thirty days after Laclede fully answers the data requests OPC sent to Laclede in May. Accordingly, OPC anticipated that it would be ready to file direct testimony by the end of July or sometime in early August 2016.

2. OPC did not anticipate that Laclede would refuse to initially answer OPC’s data requests or that the Public Service Commission (“Commission”) would give

Laclede an unprecedented four months to answer OPC’s data requests. That allowance has unnecessarily delayed this case and rate relief for Missouri ratepayers.

3. The proposed procedural schedule below assumes Laclede will have responded by September 12, 2016 to all OPC discovery issued in May, as previously ordered by the Commission:

OPC Direct Testimony	October 12, 2016
Laclede Rebuttal Testimony	December 1, 2016
OPC Surrebuttal Testimony	December 30, 2016
Issues List, Order Cross, Etc.	January 5, 2017
Position Statements	January 12, 2017
Evidentiary Hearing	January 23-27, 2017
Post-Hearing Briefs	February 23, 2017
Report and Order	March 26, 2017

4. This proposed schedule follows an eleven-month schedule since an eleven-month schedule is followed in rate increases requested by the utility. March 26, 2017 is eleven months from when OPC filed its complaint. Ratepayer requests to reduce unjust and unreasonable rates should not be processed in a longer time than required for processing rate increases requested by the utility since the fundamental purpose of the public utility law is “to protect the consumer against the natural monopoly of a public utility, as provider of a public necessity.” *State ex rel. Utility Consumers Council of Missouri, Inc. v. P.S.C.*, 585 S.W.2d 41, 56 (Mo. banc 1979).

5. Under this proposed procedural schedule, Laclede would file rebuttal testimony by December 1, 2016, which Laclede will likely oppose. By way of comparison, in Laclede's last rate case, the procedural schedule ordered by the Commission had Laclede and the other parties file their rebuttal testimony **thirty-three** and **forty-seven** days from when the non-company parties filed their direct case. This schedule would give Laclede **fifty** days. Fifty-days should be a sufficient time for Laclede to provide rebuttal testimony as OPC's direct testimony will be more simplified than typical rate case direct testimony because OPC will be more accepting of Laclede's booked cost of service and will not propose the large number of disallowances included in rate case direct testimony.

6. In addition, Laclede will have seven months from when OPC filed its Complaint to when Laclede files rebuttal testimony. Laclede, the entity that controls and is intimately familiar with all of the relevant books and records on its operations, has already had a large head-start on calculating the cost of service it intends to include in rebuttal testimony. Moreover, Laclede knows what data OPC will rely upon to calculate Laclede's cost of service since Laclede provided that data. Laclede has also exercised its right to seek discovery from OPC, to which OPC promptly provided answers. The scheduled proposed herein would also allow for two additional rounds of discovery between OPC's direct testimony and Laclede's rebuttal testimony. Accordingly, the signatory parties urge the Commission to adopt this proposal as a fair schedule that adheres to the timeline followed in rate increases requested by the utility.

WHEREFORE, the Office of the Public Counsel, Consumers Counsel of Missouri, the Missouri Energy Consumers Group, and the Missouri Industrial Energy

Consumers respectfully move the Commission to adopt the procedural schedule proposed above.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all counsel of record this 25th day of August 2016.

/s/ Marc Poston
