

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

MISSOURI PROPANE GAS ASSOCIATION,)	
)	
Complainant,)	
)	
vs.)	File No. GC-2016-0083
)	
SUMMIT NATURAL GAS OF MISSOURI, INC.,)	
)	
Respondent.)	

PROPOSED PROCEDURAL SCHEDULE

COMES NOW the Missouri Propane Gas Association (MPGA), pursuant to the Commission’s January 20, 2017 Order Granting Extension of Time, which ordered the parties to submit a proposed procedural schedule no later than February 9, 2017, and for its Proposed Procedural Schedule, respectfully states as follows:

1. MPGA recommends that the Commission adopt the following Procedural Schedule:

February 1 (Wednesday)	Direct Testimony
March 30 (Thursday)	Depositions (to be scheduled by agreement) of MPGA witness held by March 30
April 28 (Friday)	Rebuttal Testimony
May 24 (Wednesday)	Depositions (to be scheduled by agreement) of Summit witnesses (and Staff and OPC witnesses, if any) held by May 24
June 15 (Thursday)	Deadline for Dispositive Motions
July 14 (Friday)	Responses to Dispositive Motions
August 1 (Tuesday)	Replies to Responses to Dispositive Motions

September 1 (Friday)	Commission Rules on Dispositive Motions¹
September 26 (Tuesday)	Surrebuttal Testimony
October 16 (Monday)	List of Issues; Order of Witnesses, Cross-examination and Opening Statements
October 18 (Wednesday)	Statements of Positions
October 24-25 (Tuesday-Wednesday)	Evidentiary Hearing
November 14 (Tuesday)	Post-Hearing Initial Briefs (hearing transcripts expedited)
November 28 (Tuesday)	Post-Hearing Reply Briefs

2. MPGA recommends that the Commission order the following procedures regarding any testimony, discovery or filings in this matter:

a. Testimony shall be prefiled as defined in Commission Rule 4 CSR 240-2.130. All parties must comply with this rule, including the testimony be filed on line-numbered pages.

b. Where information is available in electronic format (.pdf, .doc, .wpd, or .xls), 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. Parties shall not be required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.

c. Concerning the position statements, each party shall file a simple and concise statement summarizing its position on each disputed issue.

¹ This date is necessarily an estimate. If the actual ruling is earlier or later, the remainder of the schedule would be adjusted accordingly.

d. All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

e. All parties shall bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has not been prefiled, the party offering it must bring, in addition to the copy for the court reporter, copies for each of the Commissioners, the Presiding Judge, and all counsel.

f. An effort should be made to not include in data request questions either highly confidential or proprietary information. If either highly confidential or proprietary information must be included in data request questions, the highly confidential or proprietary information should be appropriately designated as such pursuant to 4 CSR 240-2.135.

g. Each party serving a data request on another party shall provide an electronic copy of the text of the “description” of that data request to counsel for all other parties contemporaneously with service of the request. If the description contains highly confidential or proprietary information, or is voluminous, a hyperlink to the Commission’s Electronic Filing and Information System (“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 the service list for data

requests. Any party that requests copies of answers to data request shall assume responsibility for compliance with any restrictions related to confidentiality. Counsel may designate other personnel to be added to the service list but shall assume responsibility for compliance with any restrictions on confidentiality. If a data request has been responded to, a party's request for a copy of the response shall be timely responded to. Data request responses will be served on counsel for the requesting party 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. Except as provided herein, the Parties will conduct discovery as prescribed by Rule 4 CSR 240-2.090. If a data request has been responded to, a party's request for a copy of the response shall be timely responded to. All parties shall submit their responses to Staff data requests in EFIS.

h. Workpapers that were prepared in the course of developing a witness' testimony should not be filed with the Commission but should be submitted to each party within 2 business day following the filing of the particular testimony without further request. If there are no workpapers associated with testimony, the party's attorney shall so notify the other parties within the time allowed for providing workpapers. Workpapers containing highly confidential or proprietary information should be appropriately marked. Since workpapers for certain parties may be voluminous and generally not all parties are interested in receiving workpapers or a complete set of workpapers, a party shall be relieved of providing workpapers to those parties indicating that they are not interested in receiving workpapers or a complete set of workpapers. Counsel shall undertake to advise

other counsel if the sponsored witness has no workpapers related to the round of testimony.

i. Where workpapers or data request responses include models or spreadsheets or similar information originally in a commonly available format with formulas intact and where inputs or parameters may be changed to observe changes in inputs or outputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format with formulas intact.

3. Counsels for Staff and OPC both have indicated to the undersigned counsel that they do not object to this Proposed Procedural Schedule.

WHEREFORE, MPGA respectfully asks the Commission to adopt this Proposed Procedural Schedule.

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 parties on the official service list for this case on this 9th day of February, 2017.

Handwritten signature of Terry M. Jarrett in black ink.

Terry M. Jarrett