

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Union Electric Company, d/b/a     )  
AmerenUE's Tariffs to increase its Annual         ) **File No. GR-2010-0363**  
Revenues for Gas Service                             )

## ORDER ADOPTING JOINT PROCEDURAL SCHEDULE AND PROCEDURAL REQUIREMENTS

Issue Date: August 19, 2010

Effective Date: August 19, 2010

On behalf of all of the parties, the Staff of the Commission filed a Joint Proposed Procedural Schedule, Customer Notice Language, Local Public Hearing Recommendations and Motion to Adopt Additional Procedural Requirements. The Commission will adopt the procedural schedule and requirements as agreed to by all of the parties.

Although the parties agreed that the test year should be the calendar year ending December 2009, they did not initially agree on the time period through which changes might be trued-up. After discussing the issue, the parties now agree that the true-up period for known and measurable changes of significant revenue and expense items will be through September 30, 2010.

The parties have agreed to, and shall comply with, the following procedural requirements:

(a) All parties shall provide copies of testimony, exhibits, and/or pleadings to other counsel by electronic means essentially concurrent with the filing of such testimony, exhibits and/or pleadings.

(b) Parties shall make an effort to not include either "highly confidential" or "proprietary" information in data requests. If either highly confidential or proprietary information must be included in data requests, the highly confidential or proprietary information shall be so designated and may be included in an attachment.

(c) Parties submitting data requests shall serve the data request electronically on the attorneys for all parties contemporaneously with data request service on the party from whom the response is requested. Any party seeking a copy of the response to a data request issued by another party shall serve that request on the party to whom the original request was directed. Parties agree the Company may post data request responses on its Caseworks Extranet site in lieu of providing data request responses to the requesting party; provided that the Company will notify the requesting party and the requesting party's counsel when data request responses are posed on the Extranet site. The Company shall also continue to submit responses to Staff's data requests in the Commission's Electronic Filing and Information System (EFIS), when feasible.

(d) Until the November 19, 2010 filing of rate design direct testimony, the response time for all data requests shall be 20 calendar days, and 10 calendar days to object or to notify the issuing party that more than 20 calendar days will be needed to provide the requested information. After November 19, 2010, and until December 21, 2010, the filing of rebuttal testimony and the response time for all data requests shall become 10 calendar days to provide the requested information, and 5 business days to object or to notify the issuing party that more than 10 calendar days will be needed to provide the requested information. After December 21, 2010, the response time for all data requests shall become 5 business days to provide the requested information and 3 days to object or to notify the issuing that more than 5 business days will be needed to provide the requested information.

(e) Workpapers that were prepared in the course of developing a witness' testimony 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. Parties agree the Company may post workpapers on its Casework Extranet site in lieu of providing workpapers directly to a requesting party; provided that the Company notify the requesting party and the requesting party's counsel when workpapers are posted on the Extranet site. Workpapers containing highly confidential or proprietary information should be appropriately marked. Since workpapers for certain parties may be voluminous and may not be of interest to all other parties, each party shall specifically notify other parties concerning copies of workpapers. Workpapers prepared in Excel or other executable format, should be provided in that format. If a witness does not have workpapers, the filing party's attorney shall notify the other parties within 2 days of the testimony filing.

(f) AmerenUE also agrees to submit to the Staff and interested parties an update of its direct revenue requirement and rate designed calculation, as well as the necessary supporting data through September 30, 2010, by no later than November 12, 2010.

The parties also request that the Commission waive Commission rules 4 CSR 240-2.045(2) and 2.080(11) so that filings made in EFIS are deemed to be timely if made before midnight on the date the filing is due. The former rule states that documents filed electronically must be filed during business hours or they will be deemed filed the following

day. The latter rule states that documents filed shall be stamped filed on the day of filing no later than 4:00 p.m. Documents filed after 4:00 p.m. will be stamped filed the next business day. The Commission finds that parties' request reasonable and will waive the filing requirements under these rules.

The parties have also suggested dates and places for local public hearings. The Commission has reserved dates on the Commission's calendar for the suggested dates. However, the dates for the proposed hearings in Wentzville and Cape Girardeau have been switched. Rather than November 22 in Wentzville and November 23 in Cape Girardeau, the Commission prefers that the hearing in Cape Girardeau be held on the 22<sup>nd</sup> and that the hearing in Wentzville be held on the 23<sup>rd</sup>. The Commission has also reserved December 2 for a hearing in Rolla. These dates will be made firm in a subsequent order.

Finally, as requested by the parties, the Commission will expedite the transcripts of the evidentiary hearing.

**THE COMMISSION ORDERS THAT:**

1. The test year is the twelve months ending December 31, 2001, trued-up through September 30, 2010.

2. Commission rules CSR 240-2.045(2) and 2.080(11) are waived, allowing the parties to make filings after business hours on the day a filing is due.

3. The following procedural schedule is adopted:

Non-AmerenUE Parties – Revenue Requirement Direct	November 8, 2010
Non-AmerenUE Parties – Rate Design Direct	November 19
Preliminary Reconciliation (not filed)	November 19

Local Public Hearings (locations and date to be established by a subsequent order)	November 22-23, November 29 - December 2
Technical Settlement Conference (informal and not on-the-record)	November 29 – December 3
All Parties' Rebuttal	December 21
All Parties' Surrebuttal	January 14, 2011
List of Issues; Witnesses; Order of Cross Order of Opening Statements	January 19
Reconciliation (filed in the case)	January 19
Position Statements	January 27
Evidentiary Hearing	February 7-11 <sup>1</sup> beginning at 8:30 a.m.
All Parties True-Up Direct (if necessary)	February 18
All Parties True-Up Rebuttal (if necessary)	February 25
True-Up Hearing (if necessary)	March 1-2
All Parties Initial Briefs	March 7
All Parties Reply/True-Up Briefs	March 21
Operation of Law Date	May 8

4. The parties shall comply with the procedural requirements set out in the body of this order.

5. 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. If you need additional accommodations to participate in this hearing, please call the Public Service

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<sup>1</sup> Plus such additional dates, as necessary following the conclusion of hearing dates proposed by the parties to Case No. ER-2010-0356

Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

6. This order shall become effective upon issuance.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'S. Reed', is positioned above the printed name and title.

Steven C. Reed  
Secretary

( S E A L )

Kennard L. Jones, Senior Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo.

Dated at Jefferson City, Missouri,  
on this 19th day of August, 2010.