

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

In the Matter of the Second Prudence	)	
Review of Union Electric Company /d/b/a	)	
Ameren Missouri's Implementation of	)	File No. EO-2017-0023
Energy Efficiency Programs in Furtherance	)	
of the Missouri Energy Efficiency	)	
Investment Act (MEEIA).	)	

**JOINT PROPOSED PROCEDURAL SCHEDULE**

**COME NOW** Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”) and Staff of the Missouri Public Service Commission (“Staff” and “Commission,” respectively),<sup>1</sup> and jointly propose and respectfully request the Commission adopt the following procedural schedule and requirements:

**Proposed Procedural Requirements**

1. All parties must comply with the requirements of Commission Rule 4 CSR 240-2.130 for prepared testimony.
2. Although all parties may not agree how each issue should be described or whether a listed issue is in fact a proper issue in this case, the parties shall file a joint list of the issues to be heard, the witnesses to appear, the order in which they will be called, and the order of cross-examination for each witness. The list of issues should be detailed enough to inform the Commission of each issue that must be resolved.
3. Each party will file a simple and concise statement summarizing its position on each disputed issue.

---

<sup>1</sup> Missouri Division of Energy has not joined in this pleading, but indicated that it will not object to the terms laid out herein. Missouri Industrial Energy Consumers did not engage in the discussions, although they were included, and did not indicate its position either way. While the Office of Public Counsel participated in discussions and this pleading reflects many of its requested changes, it ultimately declined to be a signatory.

4. All pleadings, briefs and amendments shall be filed in accordance with Commission Rule 4 CSR 240-2.080.

5. If part of testimony or documents are prefiled and served on the parties before a hearing, a party need only provide a copy of the testimony or document to the court reporter for marking as an exhibit at the evidentiary hearing. If not prefiled and served on the parties, then a party who has a document marked for use at the hearing shall have sufficient copies of the document to provide a copy not only to the court reporter, but also to each of the Commissioners, the presiding regulatory law judge, and counsel for each other party.

6. All parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel 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 (.PDF, .DOC, .WPD, .XLS, etc.). Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging.

7. Public documents filed in the Commission's Electronic Filing and Information System ("EFIS") shall be considered properly served by serving the same on counsel of record for all other parties via e-mail. The parties agree highly confidential documents may be obtained from EFIS and so agree not to serve those documents via email.

8. 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 highly confidential or proprietary 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. In the case of Ameren Missouri data request responses, Ameren Missouri shall post its data request responses on its Caseworks Extranet site; however, in the case of responses to data requests Staff issues, Ameren Missouri shall also submit the responses to Staff data requests in EFIS, if feasible, or in electronic format on compact disc or by other means agreed to by Staff counsel, if infeasible.

9. The parties shall make an effort to not include highly confidential or proprietary information in data requests. If highly confidential or proprietary information must be included in a data request, the highly confidential or proprietary information shall be appropriately designated as such pursuant to Commission Rule 4 CSR 240-2.135.

10. Until April 30, 2017, timing regarding the objection to, request for extension of, and responses provided to data requests shall be accomplished in accordance with 4 CSR 240-2.090(2). From May 1, 2017, forward through the date of hearing, the response time for all data requests shall be ten (10) calendar days, with five (5) calendar days to object or notify the requesting party that more than ten (10) calendar days will be needed to provide the requested information. If a data request has been responded to, a party's request for a copy of the response

shall be timely responded to, considering that the underlying data request has already been responded to (except that, with the exception of responses to Staff, responses will not be needed for Ameren Missouri's data request responses posted on Ameren Missouri's Caseworks Extranet site).

11. 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 two (2) business days following the filing of the particular testimony, unless a party has indicated that it does not want to receive some or all of the workpapers. Workpapers containing highly confidential or proprietary information shall be appropriately marked. If there are no workpapers associated with testimony, the party's attorney shall so notify the other parties within the time allowed for providing those workpapers.

12. 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, 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. With the exception of workpapers provided to Staff, Ameren Missouri may provide workpapers by posting the same on its Caseworks Extranet site, with e-mail notification to counsel for the parties to be provided essentially concurrently with the posting of workpapers on the Extranet site. Ameren Missouri shall provide its workpapers to Staff in electronic format by e-mailing or by delivery of a compact disc or other electronic storage.

## **Proposed Procedural Schedule**

<b><u>Date</u></b>	<b><u>Event</u></b>
December 22, 2016	Staff submitted its <i>Staff Report of Second MEEIA Prudence Review and Proposed Adjustments</i> , which is considered the direct case in this proceeding.
April 10, 2017	Rebuttal Testimony of Parties other than Staff
May 1, 2017	Staff Surrebuttal Testimony
May 5, 2017	List of Issues/Witnesses and Order of Cross/Openings
May 12, 2017	Statement of Positions
May 25, 2017	Evidentiary Hearing
June 16, 2017	Initial Briefs
June 30, 2017	Reply Briefs

Respectfully submitted,

/s/ Paula N. Johnson

---

Paula N. Johnson, #68963  
Senior Corporate Counsel  
1901 Chouteau Avenue, MC 1310  
St. Louis, Missouri 63166-6149  
(314) 554-3533 (phone)  
(314) 554-4014 (facsimile)  
[amerenmoservice@ameren.com](mailto:amerenmoservice@ameren.com)

James B. Lowery, #40503  
111 South Ninth Street, Suite 200  
PO Box 918  
Columbia, MO 65206-0918  
(573) 443-3141 (phone)  
(573) 442-6686 (facsimile)  
[lowery@smithlewis.com](mailto:lowery@smithlewis.com)

ATTORNEYS FOR UNION ELECTRIC  
COMPANY, d/b/a AMEREN MISSOURI

/s/ Robert S. Berlin

---

Robert S. Berlin, #51709  
Deputy Staff Counsel  
PO Box 360  
Jefferson City, MO 65102  
(573) 526-7779 (phone)  
(573) 751-9285 (fax)  
[Bob.Berline@psc.mo.gov](mailto:Bob.Berline@psc.mo.gov)

ATTORNEY FOR THE STAFF OF THE  
MISSOURI PUBLIC SERVICE  
COMMISSION

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was served via e-mail on all counsel of record this 3rd day of February 2017.

/s/ Paula N. Johnson

Paula N. Johnson