

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

In the Matter of Liberty Utilities (Midstates Natural Gas) Corp. d/b/a Liberty Utilities' Tariff Revisions Designed to Implement a General Rate Increase for Natural Gas Service in the Missouri Service Areas of the Company.)
)
) **File No. GR-2014-0152**
) Tariff No. YG-2014-0320
)

ORDER SETTING PROCEDURAL SCHEDULE

Issue Date: March 20, 2014

Effective Date: March 20, 2014

On March 19, 2014, the Staff of the Commission, on behalf of all the parties, filed a Joint Proposed Procedural Schedule and Discovery Order. The Commission finds the proposal reasonable, and will grant it.

THE COMMISSION ORDERS THAT:

1. The Proposed Procedural Schedule is granted.
2. The parties are directed to comply with the conditions set out in this order.
3. The following procedural schedule is adopted¹:

Recommendation Filed per order	March 20
Liberty Utilities to file CAM revision	March 31
OPC Files Recommended LPH Dates	April 3
Discovery Conference	April 3
Last Date for Liberty Utilities to Provide Data Related to Update Period	April 18
Discovery Conference	May 15

¹ All calendar references are to 2014 except for the Operation of Law date, which is in 2015.

Last Date for Liberty Utilities to Provide Data Related to Labor Contract/Building Amounts	June 2
Discovery Conference	June 5
Non-Utility parties to file Revenue Requirement Direct	June 6
Data Request Response Time Changes to (15) calendar days to respond/(8) calendar days to object	June 9
Non-Utility parties to file Rate Design Direct	June 26
Discovery Conference	June 26
Preliminary Reconciliation circulated to the parties	June 30
Local Public Hearings (tentatively during this period)	June 30–July 3 and July 7–11
Supplemental Rate Design Direct (Public Counsel only)	July 3
Settlement Conference	July 14–18
Preliminary list of issues circulated among the parties	July 23
Rebuttal Testimony	July 30
Data Request Response Time Changes to (5) business days /(3) business days to object	July 31
Discovery Conference	July 31
Settlement Conference	August 6–7
Surrebuttal and Cross-Surrebuttal	August 15
Close of Discovery	August 26
List of Issues, Order of Witnesses, Order of Cross-Examination and Opening	August 26

Reconciliation	August 28
Last Date for Motions to Compel	September 2
Statements of Position	September 3
Evidentiary Hearings	September 8–12 and 16–19 beginning at 8:30 a.m.
Initial Post-Hearing briefs	October 17
Reply briefs	November 7
Report and Order Issue Date	December 3
Operation-of-Law Date	January 4

4. The evidentiary hearing shall be held at the Commission’s offices in the Governor Office Building, 200 Madison Street, Room 310, Jefferson City, Missouri. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. Any person who needs specific accessibility accommodations may call the Public Service Commission’s Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

5. The Parties shall provide all workpapers (in electronic format, whenever feasible) within two (2) business days following the date on which the related testimony is filed.

6. 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, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format.

7. All parties shall provide copies of testimony, schedules, exhibits and pleadings to other counsel of record by electronic means and in electronic form essentially concurrently with the filing of such testimony, schedules, exhibits, or pleadings where the information is available in electronic format. Parties shall not be required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.

8. The parties shall comply with the following response times for data requests:

(A) Until June 9, 2014, the response time for all data requests shall be twenty (20) calendar days, with ten (10) calendar days to object or notify the requesting party that more than twenty (20) calendar days will be needed to provide the requested information.

(B) Beginning June 9, 2014, through July 30, 2014, the response time for data requests shall be fifteen (15) calendar days to provide the requested information, and eight (8) calendar days to object or notify the requesting party that more than fifteen (15) calendar days will be needed to provide the requested information.

(C) Beginning on July 31, 2014, the response time for data requests shall be five (5) business days to provide the requested information and three (3) business days to object or notify the requesting party that more than five (5) business days will be needed to provide the requested information.

9. The parties shall comply with the following provisions regarding discovery:

(A) Discovery conferences will be held in Room 305 at the Commission's office at the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. Each discovery conference will begin at 10:00 a.m.

(B) Not less than two (2) business days before each discovery conference, any party that has a discovery disagreement or concern involving another party shall file a brief statement describing that disagreement or concern and identifying any other parties involved. Such statement does not need to be a formal motion to compel. Any party may attend a discovery conference, but only those parties involved in an identified discovery disagreement must attend. If the parties do not identify any discovery disagreements or concerns as described herein, the presiding officer may cancel the conference.

(C) Discovery conferences shall be on the record and shall be transcribed by a court reporter.

(D) Any pending written discovery motion may be taken up at a discovery conference and may be ruled upon by the presiding regulatory law judge either on the record, or in a written order.

(E) Commission Rule 4 CSR 240-2.090's requirement that a party must seek a telephone conference with the presiding officer before filing a discovery motion is waived.

(F) If the parties do not identify any discovery disagreements or concerns as described in Paragraph 5(B), the time allotted for the discovery conference may be used for informal, off-the-record technical conferences as arranged in advance by the Parties.

(G) All data requests, subpoenas, or other discovery requests shall be issued no later than August 26, 2014. With respect to deposing a witness, so long as a notice of deposition is issued by August 26, 2014, the deposition may occur, notwithstanding that the deposition will take place after August 26, 2014, or that there could be other conditions that must be satisfied prior to the deposition.

(H) All motions to compel a response to any discovery request shall be filed no later than September 2, 2014. The Parties shall make an effort to resolve all discovery disputes well before the hearing; however, the Parties shall present any outstanding motions to compel to the regulatory law judge at the beginning of the hearings on September 8, 2014.

(I) The Parties shall make an effort to not include in data request questions either highly confidential or proprietary information, and the Parties shall make an effort not to over-designate information as either highly confidential or proprietary. 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. Responsibility to make this designation is upon the party claiming such. Other parties are entitled to rely on the presence or absence of such designation.

(J) Any data requests between Staff and Liberty Utilities shall be submitted and responded to in the Commission's Electronic Filing and Information System (EFIS). All data requests other than those issued between Staff and Liberty Utilities, as well as all objections to data requests, or notifications of the need for additional time to respond, shall be sent by e-mail to counsel for the other parties. Counsel may

designate other counsel to be added to the certified service list and shall assume responsibility for compliance with any restrictions on confidentiality. If any party responds to a data request in EFIS, the response is available in EFIS to all counsel on the certified service list. Data request responses, other than responses to data requests issued between Staff and Liberty Utilities, will be served on counsel for 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. 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 in writing a copy of the responses from the party answering the data request; thereby providing the responding party the opportunity to object. If a data request has been responded to, a party's request for a copy of the response shall timely be responded to, considering that the underlying data request has already been responded to.

10. This order shall become effective upon issuance.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Ronald D. Pridgin, Deputy Chief Regulatory Law
Judge, by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 20th day of March, 2014.