

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 29<sup>th</sup> day of May, 2013.

In the Matter of the Joint Application of Southern Union Company d/b/a Missouri Gas Energy, The Laclede Group, Inc., and Laclede Gas Company for an Order Authorizing the Sale, Transfer, and Assignment of Certain Assets and Liabilities from Southern Union Company to Laclede Gas Company and, in Connection Therewith, Certain other Related Transactions )  
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**File No. GM-2013-0254**

**ORDER ADOPTING PROCEDURAL SCHEDULE**

Issue Date: May 29, 2013

Effective Date: May 29, 2013

On May 23, 2013, Southern Union Company d/b/a Missouri Gas Energy, The Laclede Group, Inc., Laclede Gas Company, the Staff of the Commission, and the Office of the Public Counsel jointly filed a motion asking the Commission to adopt an agreed upon procedural schedule. Not all parties joined in the motion, but the motion represents that the other parties do not object to the proposed procedural schedule, and no party has expressed opposition to the proposed procedural schedule within the time allowed by the Commission. The movants have also agreed upon certain procedural provisions that the Commission will incorporate into this order.

The Commission will adopt the procedural schedule proposed by the movants.

**THE COMMISSION ORDERS THAT:**

1. The following procedural schedule is established:

<b>Laclede/MGE Filed Direct Testimony</b>	-	<b>January 14, 2013</b>
<b>Settlement Conference♣</b>	-	<b>June 14, 2013</b>
<b>Rebuttal Testimony</b>	-	<b>June 24, 2013</b>
<b>Upon Close of Business June 24, Data Request Response Times Change to Three Business Days With Two Business Days for Objections</b>	-	<b>June 24, 2013</b>
<b>Settlement Conference</b>	-	<b>July 1, 2013</b>
<b>Surrebuttal/Cross Surrebuttal Testimony</b>	-	<b>July 5, 2013</b>
<b>List of Issues and Position Statement of Suzanne Sitherwood</b>	-	<b>July 8, 2013</b>
<b>List of Issues</b>	-	<b>July 9, 2013</b>
<b>Statements of Position</b>	-	<b>July 10, 2013</b>
<b>Hearing on Testimony of Suzanne Sitherwood</b>	-	<b>July 10, 2013, beginning at 1:30 p.m.</b>
<b>Hearing</b>	-	<b>July 15 through July 17, 2013, beginning each day at 8:30 a.m.</b>
<b>Simultaneous Post-Hearing Briefs</b>	-	<b>July 31, 2013</b>
<b>Anticipated Decision</b>	-	<b>August 21, 2013, effective August 31, 2013</b>

2. The Commission establishes the following provisions to guide discovery:

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♣ The settlement conferences are an opportunity for informal discussion among the parties and will not be on-the-record.

- (A) 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. Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.
- (B) The parties shall make an effort to not include highly confidential or proprietary information in data request questions. If highly confidential or proprietary information must be included in data request questions, the highly confidential or proprietary information shall be appropriately designated as such pursuant to Commission Rule 4 CSR 240-2.135.
- (C) Each party serving a data request on another party shall provide an electronic copy of all data requests to counsel for all other parties contemporaneously with service of the data request. 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 shall request a copy of the response from the party answering the data request. In this manner the party providing a response to a data request has an opportunity to object to providing the response to another party and is responsible for copying information purported to be highly confidential or proprietary. Thus, if a party wants a copy of a data request response by MGE to a Staff data request, the party must ask MGE, not Staff, for a copy of the data request response unless there are appropriate reasons to direct the discovery to the party originally

requesting the material. 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. All data request responses shall be served on counsel for the requesting party and on the requesting party's employee or representative who submitted the data request. Data request responses shall be served electronically, if feasible and not voluminous as defined by Commission rule.

- (D) Until rebuttal testimony is filed on June 24, 2013, the response time for all data requests shall be ten calendar days, with five calendar days to object or notify the requesting party that more than ten calendar days will be needed to provide the requested information. Upon close of business on June 24, 2013, the response time for data requests shall be three business days to provide the requested information and two business days to object or notify the requesting party that more than three 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, without request, shall be submitted to each party within two business days after the particular testimony is filed. Workpapers containing highly confidential or proprietary information shall 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. 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.

- (F) When spreadsheets are provided as part of a data request response, the spreadsheets shall not be converted to Adobe pdf files and shall be provided in Excel electronic format with links and formulas intact except for those spreadsheet files that are only readable in electronic format by using proprietary software that the requesting party does not possess, provided that this shall not preclude any party from objecting to the provision of such information on grounds and through means customarily recognized as appropriate by the Commission.
3. The parties shall comply with the following procedural requirements:
- (A) Testimony shall be prefiled as defined in Commission Rule 4 CSR 240-2.130. All parties must comply with this rule, including the requirement that testimony be filed on line-numbered pages.
  - (B) The parties shall agree upon and Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing, 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

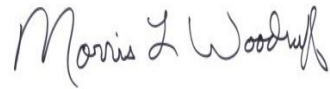
issue that must be resolved. The Commission will view any issue not contained in this list of issues as uncontested and not requiring resolution by the Commission.

- (C) Each party shall file a simple and concise statement summarizing its position on each disputed issue.
- (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, a copy for each Commissioner, the Presiding Judge, and all counsel.

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

5. This order shall become effective upon issuance.

**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive style with a large initial "M".

Morris L. Woodruff  
Secretary

R. Kenney, Chm., Jarrett, Stoll,  
and W. Kenney, CC., concur.

Woodruff, Chief Regulatory  
Law Judge