# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

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In the Matter of Veolia Energy Kansas City, Inc. for Authority To File Tariffs to Increase Rates

File No. HR-2014-0066

Tracking Nos.: YH-2014-0240, YH-2014-0242

## ORDER SETTING PROCEDURAL SCHEDULE, ESTABLISHING TEST YEAR AND GUIDELINES FOR DISCOVERY

Issue Date: January 16, 2014

Effective Date: January 16, 2014

On January 13, 2014, the parties filed a proposed procedural schedule and

recommendations on a test year. With some revisions, the Commission will adopt the

proposals.

### THE COMMISSION ORDERS THAT:

1. The test year for this matter is the twelve months ending on June 30,

2013, as updated through December 2013.

2. The following procedural schedule is established:

DEADLINE	ACTION
February 27, 2014	Early Technical Conference
April 16, 2014	Discovery Conference
May 1, 2014	Staff Direct Testimony (Revenue Requirement)
May 15, 2014	Discovery Conference
May 15, 2014	Staff Direct Testimony (Rate Design)
May 21, 2014	Settlement Conference (Off the Record)
June 4, 2014	Rebuttal Testimony (Revenue Requirement and Rate Design)

June 5, 2014	Data Request Response Time Becomes 5 Days and 3 Business Days for Objections
June 18, 2014	Surrebuttal Testimony (Revenue Requirement and Rate Design)
June 24, 2014	File List of Issues, Order of Witnesses for Cross-Examination, Order of Opening Statements
June 24, 2014	File Position Statements
June 26, 2014	Discovery Conference
June 26, 2014	Staff to File Reconciliation
June 26, 2014	File Joint Stipulation of Undisputed Material Facts
July 1, 2014	Discovery Cut-Off
July 2, 2014	Final Discovery Conference
July 8-11, 2014	Evidentiary Hearing Starts at 10:00 a.m.
August 5, 2014	File Post-Hearing Briefs
October 27, 2014	Operation of Law Date

The evidentiary hearing shall be held at the Commission's office in the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri, beginning at 10:00 a.m. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. Any person or entity requiring additional accommodations to participate in this hearing shall call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

- 3. The following conditions shall apply to all data requests:
  - A. Data requests, responses, objections, or notifications respecting the need for additional time to respond shall be sent via e-mail to counsel for all the other parties.
  - B. Data request responses will also be served 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.

- C. 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. Counsel may designate other personnel to be added to the service list but shall assume responsibility for compliance with any restrictions on confidentiality.
- D. 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 in this manner the party providing a response to a data request has the 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 Lake Region to a Staff data request, the party should ask Lake Region, not the 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.
- E. If a party requests a data request response that has already been served on another party, and that request is received on or after the due date of the response, the responding party shall provide a copy of the response to the requesting party as soon as is reasonably practicable. However, if the request is received prior to the due date of the response, the responding party shall provide the response to all requesting parties contemporaneously. In no event shall a request for a copy of a response be considered to have initiated a new data request with new time limits.

4. Any party that wishes to participate in a discovery conference by

telephone will be notified of the telephone conference number prior to the time set for the conference.

5. Discovery conferences shall be held at the Commission's office in the Governor Office Building, Room 305, 200 Madison Street, Jefferson City, Missouri, beginning at 1:30 p.m. The Governor Office Building meets accessibility standards

required by the Americans with Disabilities Act. Any person or entity requiring additional accommodations to participate in this hearing shall call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

6. Not less than three (3) 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 or concern must attend. If the parties do not identify any discovery disagreements or concerns before the scheduled conference, the presiding officer may cancel the conference.

7. Discovery conferences shall be on the record and transcribed by a court reporter.

8. Any party seeking reconsideration of a ruling on discovery shall file a motion for reconsideration no later than five (5) business days following the ruling.

9. This order shall become effective upon issuance.

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### BY THE COMMISSION

Morris I Woodul

Morris L. Woodruff Secretary

Kim S. Burton Regulatory Law Judge, by delegation of authority pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri, on this 16th day of January, 2014.