

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

In the Matter of the Application of Laclede Gas)
Company to Change its Infrastructure System) **File No. GO-2017-0201**
Replacement Surcharge in its Missouri Gas) Tariff No. YG-2017-0157
Energy Service Territory)

In the Matter of the Application of Laclede Gas)
Company to Change its Infrastructure System) **File No. GO-2017-0202**
Replacement Surcharge in its Laclede Gas) Tariff No. YG-2017-0156
Service Territory)

**ORDER SCHEDULING JOINT EVIDENTIARY HEARING AND
SETTING PROCEDURAL SCHEDULE**

Issue Date: April 7, 2017

Effective Date: April 7, 2017

On February 3, 2016, Laclede Gas Company (“Laclede”) and Missouri Gas Company (“MGE”), an Operating Unit of Laclede Gas Company, filed verified applications and petitions to change their Infrastructure System Replacement Surcharges (“ISRS”). The Commission directed that the Staff of the Missouri Public Service Commission (“Staff”) file a recommendation and other parties file any objections or requests for hearings by April 4, 2017. The Office of the Public Counsel (“OPC”) filed an objection and request for a hearing on April 4, 2017, in both File Nos. GO-2017-0201 and GO-2017-0202. OPC opposed the inclusion in ISRS of the costs of replacing certain plastic mains and service lines. Although the Commission previously issued a *Report and Order* on this issue in File Nos. GO-2016-0332 and GO-2016-0333, because OPC has appealed that decision to the Missouri Court of Appeals for the Western District, it has renewed those objections here.

Responses to the Staff recommendation are not due until April 14, 2017. Additionally, OPC indicated that a possible stipulation that would avoid the need for an evidentiary hearing was being considered by the parties. However, because of the limited timeframe for a Commission decision in an ISRS case, the Commission will grant OPC's hearing request and set a date for an evidentiary hearing and other procedural dates in the event the stipulation is not forth-coming. Since the pending actions in File Nos. GO-2017-0201 and GO-2017-0202 involve related questions of law or fact, the Commission will order a joint hearing, as allowed by Commission rule 4 CSR 240-2.110(3).

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is established:

Date	Event
April 27, 2017	Direct testimony
May 4, 2017	Rebuttal testimony
May 4, 2017	Last day to request discovery
May 9, 2017	Joint list of issues, order of witnesses, order of parties for cross-examination, order of opening statements
May 10, 2017	Position statements
May 12, 2017	Premarked exhibit lists to nancy.dippell@psc.mo.gov
May 15, 2017	Evidentiary hearing
May 17, 2017	Expedited transcript
May 19, 2017	Briefs

2. The evidentiary hearing is scheduled for May 15, 2017, beginning at 9:00 a.m. The hearing will be held in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. The hearing will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. Any person requiring additional accommodations to participate in the hearing shall call the

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

3. The parties shall comply with the following additional procedural requirements:

- 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 shall not be required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.
- B. 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 email. The parties shall obtain highly confidential documents from EFIS and shall not serve those documents via email.
- C. Whenever possible, data request questions should not contain either highly confidential or proprietary information. If either highly confidential or proprietary information must be included in data request questions, the highly confidential or proprietary information should be prominently marked and appropriately designated as such pursuant to 4 CSR 240-2.135.
- D. 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. 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.
- E. Any party seeking the response to a data request that has been issued by another party shall request a copy of the response from the party answering the data request.

- F. Data requests, objections, or notifications respecting the need for additional time to respond shall be sent via e-mail to counsel for the other parties. Counsel may designate other personnel to be added to the service list but shall assume responsibility for compliance with any restrictions on confidentiality.
- G. 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.
- H. For data requests served after the filing of direct testimony the response time for data requests shall be 5 business days to provide the requested information, and 3 business days to object or notify that more than 5 business days will be needed to provide the requested information. For data requests served after rebuttal testimony is filed the response time for data requests shall be 4 business days to provide the requested information, and 2 business days to object or notify that more than 4 business days will be needed to provide the requested information. Data requests sent after 5:00 p.m. will be considered served on the next business day.
- I. Workpapers that were prepared in the course of developing a witness' testimony (including schedules) and exhibits should not be filed with the Commission but shall be submitted to each party within 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 should 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.
- J. 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 the original format, the party providing the workpaper or response shall provide this type of information in that original format with formulas intact. Workpapers shall be provided in electronic format by e-mailing or by delivery of a compact disc or other electronic storage media.
- K. All data requests, subpoenas, or other discovery requests or notices shall be issued no later than May 4, 2017.

- L. All filings made through the Commission's Electronic Filing and Information System (EFIS) will be timely filed if filed before midnight on the date the filing is due. Documents filed in EFIS are considered properly served by serving the same on counsel of record for all other parties via e-mail essentially contemporaneously with the EFIS filing.
- M. 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.
- N. 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, the order of party cross-examination for each witness, and the order of opening statements. The list of issues shall be stated with particularity. If the parties are unable to agree to an issues list, each party shall file a separate issues list.
- O. Each party shall file a simple and concise statement summarizing its position on each disputed issue.
- P. 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 unresolved issues that the parties believe require decision by the Commission.
- Q. All parties shall bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If testimony or documents are pre-filed and served on the parties before a hearing, a party need only provide a copy of the testimony or document to the court reporter as an exhibit at the evidentiary hearing. If an exhibit has not been prefiled, the party offering it must bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Presiding Judge, and all counsel.
- R. The parties shall pre-number their hearing exhibits sequentially in blocks of numbers with individual party designation, as follows:
 - a. Laclede Exhibit No. 1 through Laclede Exhibit No. 99
 - b. OPC Exhibit No. 100 through OPC Exhibit No. 199

c. Staff Exhibit No. 200 through Exhibit No. 299

S. Each party shall prepare a list of its pre-filed, pre-marked exhibits and submit a copy of that list to every other party and to the regulatory law judge no later than May 12, 2017. The lists shall not be filed in the EFIS case file. Exhibits that may be offered during cross-examination, but which have not been pre-filed, need not be included on the list.

4. This order shall be effective when issued.



BY THE COMMISSION

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

Morris L. Woodruff
Secretary

Nancy Dippell, Senior Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 7th day of April, 2017.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 7th day of April 2017.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

April 7, 2017

File/Case No. GO-2017-0201 & GO-2017-0202

Missouri Public Service Commission

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.