

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

In the Matter of the Application of Cardwell )  
Lumber, Inc. for Approval of a Change of )  
Electrical Suppliers at its 5927 Highway 50 )  
West, Jefferson City, Missouri Location from )  
Union Electric Company to Three Rivers )  
Electric Cooperative. )

**CASE No. EO-2011-0052**

**JOINT PROPOSED PROCEDURAL SCHEDULE AND  
MOTION TO ADOPT ADDITIONAL PROCEDURAL REQUIREMENTS**

COME NOW the Staff of the Missouri Public Service Commission (“Staff”), the Office of Public Counsel (“OPC”), Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”), Cardwell Lumber, Inc. (“Cardwell”), and Three Rivers Electric Cooperative (“Three Rivers”) (collectively referred to hereinafter as “the Parties”) and request that the Missouri Public Service Commission (“the Commission”) issue an order adopting the procedural schedule and additional procedural requirements as jointly proposed by the Parties in the body of this pleading. In support of this proposal and motion, the Parties respectfully state as follows:

1. On August 25, 2010, Cardwell, by and through counsel, filed an Application with the Commission, seeking authority to change its electric supplier from Ameren Missouri to Three Rivers. Cardwell’s Application was accompanied by a motion requesting expedited treatment.

2. A prehearing conference was held in this matter on October 20, 2010. At this conference the Parties agreed to propose the following procedural schedule:

**EVENT**

**DATE**

Cardwell Filed its Application

**August 25, 2010**

Parties Circulate Draft of Joint Stipulation of Facts  
(Date is tentative and item is not to be filed with  
the Commission at that time)

**November 1, 2010**

Parties File Joint Stipulation of Facts

**November 5, 2010**

Parties File Joint List of Issues; List of Witnesses;  
Order of Opening Statements; Order of Examination;  
and Statements of Position

**November 9, 2010**

Evidentiary Hearing

**November 12, 2010**

Parties File Post-hearing Briefs (If desired)

**November 24, 2010**

3. Because this dispute may ultimately involve issues that are more legal than factual in nature, the Parties request that each entity be allotted 15 minutes at the conclusion of the evidentiary hearing in order to present to the Commission, at each entity's discretion, legal argument related to this matter.

4. In addition, the Parties hereby agree to the following procedural requirements and request that these requirements be reflected in the Commission's order establishing the procedural schedule in this matter:

(a) All Parties shall provide copies of testimony, exhibits and/or pleadings to other counsel by electronic means essentially concurrent with the filing of such testimony, exhibits and/or pleadings.

(b) Parties submitting data requests shall serve the data request electronically on the attorneys for all parties contemporaneously with data request service on the Party from whom the response is requested. Any Party seeking a copy of the response to a data requested issued by another Party shall serve that request on the Party to whom the original request was directed.

(c) The response time for all data requests shall be ten (10) calendar days to provide the requested information, and five (5) business days to object or to notify the issuing party that more than ten (10) calendar days will be needed to provide the requested information.

5. For the purposes of this case, the Parties also request that the Commission waive Commission Rules 4 CSR 240-2.045(2) and 2.080(11) so that filings made in the Commission's Electronic Filing and Information System ("EFIS") are deemed to be timely if made before midnight on the date the filing is due.

6. In order to facilitate the timely briefing of this matter the Parties request that the Commission order expedited transcripts of all evidentiary hearings conducted in this case.

**WHEREFORE**, Staff files this proposed procedural schedule and list of agreements on behalf of itself and the other parties to Case No. EO-2011-0052 and respectfully requests that the Commission issue an order adopting, without modification, the terms contained herein.

Respectfully submitted,

/s/ ERIC DEARMONT

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ASSISTANT GENERAL COUNSEL  
MISSOURI BAR NO. 60892

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### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 22<sup>nd</sup> day of October, 2010.

/s/ ERIC DEARMONT