

providing the workpaper or response shall provide this type of information in that original format.

4. All parties shall provide copies of testimony (including schedules), exhibits and pleadings to other counsel of record 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 in to electronic format for purposes of exchanging it.

5. The Parties make the following agreements regarding response time for data requests:

(A) Until direct testimony is filed on May 24, 2013, 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) After May 24, 2013, until rebuttal testimony is filed on July 11, 2013, 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) After rebuttal testimony is filed on July 11, 2013 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.

(D) If later in the case the Commission determines that a true-up is necessary, the response time for true-up data requests issued after the hearing shall be three (3) business

days to provide the requested information, and one (1) business day to object or notify the requesting party that more than three (3) business days will be needed to provide the requested information.

6. The parties agree to the following provisions regarding discovery:

(A) Discovery conferences will be held in Room 305 at the Commission's office at the Governor's 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 4(B), the time allotted for the discovery conference may be used for informal, off-the-record technical conferences as arranged by the Parties.

(G) All data requests, subpoenas, or other discovery requests shall be issued no later than August 7, 2013. With respect to deposing a witness, so long as a notice of deposition is issued by August 7, 2013, the deposition may occur, notwithstanding that the deposition will take place after August 7, 2013, 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 related to the direct case shall be filed no later than August 14, 2013.

(I) Except for the period between August 7 and August 28, data requests, subpoenas duces tecum, or other discovery requests, such as requests for admission, that are directed toward the true-up phase of this case (if later determined by the Commission to be necessary) may be issued through September 11, 2013. With respect to deposing a witness relating to the true-up phase, so long as a notice of deposition is issued by September 11, 2013, the deposition may occur notwithstanding that the deposition will take place after September 11, 2013, or there could be other conditions that must be satisfied prior to the deposition.

(J) All motions to compel a response to any discovery request related to the true-up case shall be filed no later than September 17, 2013.

(K) The Parties shall make an effort to not include in data request questions 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 appropriately designated as such pursuant to 4 CSR 240-2.135.

(L) Counsel for each party shall receive electronically from each other party, an electronic copy of the text of all data request “descriptions” served by that party on another party in the case contemporaneously with service of the request. 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. 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 responses 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 Laclede to a Staff data request, the party should ask Laclede, 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. 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. 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. Data request responses will be served on counsel for the requesting party 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. Laclede shall submit its responses to Staff data requests in the Commission’s Electronic Filing and Information System (EFIS), if feasible.

7. The Parties further recommend the Commission adopt the following procedural schedule:

<u>Item</u>	<u>Date</u>
Discovery Conference	February 28, 2013
Discovery Conference	March 26, 2013
Discovery Conference	April 26, 2013
Non-Laclede parties to file Direct Testimony on revenue requirement	May 24, 2013
Data Request Response Time Changes to (15) calendar days/(8) calendar days to object	May 25, 2013
Discovery Conference	May 30, 2013
Non-Laclede parties to file Direct Testimony on rate design	June 7, 2013
Preliminary Reconciliation circulated to the parties	June 7, 2003
Local Public Hearing University of Missouri-St. Louis	Afternoon, June 12, 2013
Local Public Hearing Harris Stowe	Evening, June 12, 2013
Local Public Hearing St. Louis County, Meramec College	Afternoon, June 13, 2013
Local Public Hearing St. Louis County, Thornhill Library	Evening, June 13, 2013
Early Technical/Settlement Conference (informal and not “on the record”)	June 17-21, 2013
Discovery Conference	June 21, 2013
Local Public Hearing City of St. Charles	Evening, June 24, 2013

Local Public Hearing Jefferson County	Evening, June 25, 2013
Preliminary list of issues circulated among the parties	July 3, 2013
All parties to file Rebuttal Testimony	July 11, 2013
Data Request Response Time Changes to (5) business days /(3) business days to object	July 12, 2013
Settlement Conference	July 17-18, 2013
Discovery Conference	July 26, 2013
All parties to file Surrebuttal or Cross-Surrebuttal Testimony	August 2, 2013
Close of Discovery for Direct case	August 7, 2013
List of Issues, Order of Witnesses, Order of Cross-Examination, Order of Opening	August 9, 2013
Reconciliation	August 9, 2013
Statements of Position	August 13, 2013
Evidentiary Hearing	August 19-28, 2013
True-Up Data Request Response Time Changes to (3) business days /(1) business day to object (on last day of evidentiary hearing)	August 19-28, 2013
All parties file True-Up Direct Testimony (if necessary)	September 10, 2013
Close of Discovery for true-up case (if necessary)	September 11, 2013
All parties file True-Up Rebuttal Testimony (if necessary)	September 17, 2013
True-Up Hearing (if necessary)	September 19-20, 2013

The PSC will conduct an investigation and hold hearings to determine if the proposed rates are just and reasonable. The PSC has the authority to approve rates that are lower than Laclede's request depending on the results of its investigation and hearing.

The PSC will hold public hearings in which customers will have an opportunity to present comments to the PSC commissioners about the rate increase request. Public comment hearings have been set before the PSC as follows:

June 12

**St. Louis City/
North St. Louis County (2) UMSL (afternoon); Harris-Stowe (evening)**

June 13

**South St. Louis County/
West St. Louis County (2) Meramec College (afternoon); Thornhill Library (evening)**

June 24

**St. Charles County (St. Chas Comm. College, or City of St. Charles)
(evening)**

June 25

**Jefferson County (Festus/Crystal City – Crystal City High School)
(evening)**

***A question-and-answer session will be held one-half hour before the beginning of each hearing.**

If you are unable to attend a live public hearing and wish to make written comments or secure additional information, you may contact the Office of the Public Counsel, P.O. Box 2230, Jefferson City, Missouri 65102, telephone (573) 751-4857, email opcservice@ded.mo.gov or the Missouri Public Service Commission, Post Office Box 360 Jefferson City, Missouri 65102, telephone 800-392-4211, email pscinfo@psc.mo.gov.

Comments may also be registered in the case using the Commission's electronic filing system at <https://www.efis.psc.mo.gov/mpsc/Comments.html>. If submitting comments electronically, please reference Case Number GR-2013-0171.

The Commission will also conduct an evidentiary hearing at its offices in Jefferson City from August 19-23 and from August 26-28, 2013, beginning at 8:30 a.m. The hearings and local public hearings will be held in buildings that meet accessibility standards required by the Americans with Disabilities Act. If a customer needs additional accommodations to participate in these hearings, please

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

WHEREFORE, for the foregoing reasons, the Staff respectfully requests on behalf of all the Parties that the Commission approve the recommendations set out above.

Respectfully Submitted,

**STAFF OF THE MISSOURI
PUBLIC SERVICE COMMISSION**

/s/ **John D. Borgmeyer**

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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing were served electronically to all counsel of record this 5th day of February, 2013.

/s/ **John D. Borgmeyer**