

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

In the Matter of Lake Region Water & Sewer	)	<u>File No. SR-2010-0110</u>
Company's Application to Implement a General	)	Tariff No. YS-2010-0250
Rate Increase in Water & Sewer Service	)	

In the Matter of Lake Region Water & Sewer	)	<u>File No. WR-2010-0111</u>
Company's Application to Implement a General	)	Tariff No. YW-2010-0251
Rate Increase in Water & Sewer Service	)	

**JOINT PROCEDURAL SCHEDULE AND  
JOINT MOTION FOR APPROVAL OF PROCEDURAL AGREEMENTS**

COMES NOW the Staff of the Missouri Public Service Commission (Staff), on behalf of itself and the parties to this proceeding, including Lake Region Water and Sewer Company, Office of Public Counsel, Four Seasons Racquet and Club Condo Property Owners Association Inc., and Four Seasons Lakesites Property Owners Association, Inc. and respectfully states as follows:

1. On October 7, 2009, Lake Region Water & Sewer Company (Lake Region or Company) filed tariffs designed to implement a general rate increase for water and sewer services provided in its Missouri service area.
2. On October 8, 2009, the Commission issued its *Suspension Order and Notice*, suspending Lake Region's proposed tariffs until September 6, 2010, scheduled an early prehearing conference for November 9, 2009, and directed parties to file a proposed procedural schedule on or before November 16, 2009<sup>1</sup>.
3. On November 9, 2009, the Commission convened an early prehearing conference. All parties were present at the prehearing conference and participated in the development of the

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<sup>1</sup> Subsequent to the Commission's October 8, 2009 order, Lake Region filed substitute tariffs to correct the headings of those tariff sheets. To ensure clarity, the Commission issued a second suspension order on October 9, 2009 utilizing the corrected tariff identifiers.

jointly proposed procedural schedule. As a result, the parties respectfully propose that the Commission adopt the following procedural schedule in this case:

<u>EVENT</u>	<u>DATE</u>
Case filing	October 7, 2009
Recommendations as to Local Public Hearings	November 20, 2009
Company Case Updated for Known and measurable items through September 30, 2009	December 7, 2009
Direct Testimony (all parties except Lake Region) Cost of Service	January 14, 2010
Direct Testimony (all parties except Lake Region) Rate Design	January 21, 2010
Local Public Hearings	January 25 – 29, 2010
Case Reconciliation (not filed)	February 3, 2010
Prehearing/Settlement Conference	February 8 – 11, 2010
List of Issues (Preliminary – Not filed)	February 17, 2010
Rebuttal Testimony (all parties)	February 19, 2010
Surrebuttal Testimony (all parties)	March 12, 2010
Stipulation of Non-disputed Material Facts	March 16, 2010
Reconciliation for Issues to be heard	March 19, 2010
Joint List and Order of Issues, list and Order of Witnesses, order of Cross-Examination	March 22, 2010
Statements of Position	March 23, 2010
Evidentiary Hearing	March 29 – April 2, 2010 (April 1 and 2 only if necessary)
True-Up Direct Testimony (all parties)	April 16, 2010
True-Up Rebuttal	April 21, 2010
True-Up Hearing	April 26, 2010
Initial Briefs (all parties)	May 28, 2010
Reply Briefs (all parties)	June 25, 2010
True-Up Briefs (all parties)	July 9, 2010
Operation of Law Date	September 6, 2010

4. During the early prehearing conference, all parties also agreed to the following matters and request that these agreements be reflected in the Commission's Order setting the procedural schedule:

- a. All parties agree that they will 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. For purposes of this case, the parties request the Commission waive 4 CSR 240-2.045(2) and 2.080(11) with respect to prefiled testimony and other pleadings, and treat filings made through the Commission's Electronic Filing and Information System (EFIS) as timely filed if filed before midnight on the date the filing is due.
- c. Documents filed in EFIS shall be considered properly served by serving the same on counsel of record for all other parties via e-mail essentially contemporaneously with the EFIS filing.
- d. Data requests shall be served electronically with all counsel and not just transmitted to the party of whom the request is made. Data request responses shall be shared with requesting parties.
- e. Until the January 14, 2010 filing of direct testimony, the response time for all data requests is twenty (20) calendar days, and ten (10) calendar days to object or notify that more than twenty (20) calendar days will be needed to provide the requested information. After January 14, 2010, the response time for data requests becomes ten (10) calendar days to provide the requested information, and five (5) calendar days to object or notify that more than ten (10) calendar days will be needed to provide the requested information.
- f. Workpapers that were prepared in the course of developing a witness' direct or rebuttal testimony should not be filed with the Commission, but without request should be submitted to each party within two (2) business days following the filing of the particular testimony. Workpapers prepared in the course of developing a witness' surrebuttal, true-up or true-up rebuttal testimony should not be filed with the Commission but should be submitted to each party simultaneously with 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. 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 should so notify the other parties within the time period for providing those workpapers.
- g. 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.
- h. The parties hereby request that the Commission provide for expedited transcripts of the evidentiary hearing.

**WHEREFORE**, in response to the Commission's October 8, 2009 *Suspension Order and Notice*, the Staff files, on behalf of itself and the parties indentified above, this jointly proposed procedural schedule and list of agreements, and requests that the Commission adopt the proposed procedural schedule and approve the agreements in Case Nos. SR-2010-0110 and WR-2010-0111.

Respectfully submitted,

/s/ Jaime N. Ott

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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 16<sup>th</sup> day of November, 2009.

/s/ Jaime N. Ott