

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

In the Matter of Small Company Rate Increase of        )  
Timber Creek Sewer Company                                )       File No. SR-2010-0320

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

**COME NOW** Timber Creek Sewer Company (Timber Creek), the Office of Public Counsel (Public Counsel), and the Staff of the Missouri Public Service Commission (Staff), and respectfully states as follows:

1.       On October 7, 2010, Timber Creek, Public Counsel and Staff filed a *Unanimous Partial Agreement Regarding Disposition of Small Sewer Company Revenue Increase Request*. (Disposition Agreement). Since this Disposition Agreement did not resolve the entirety of the small sewer company revenue increase request, Staff filed a *Request to Open Contested Case* on the same day.
2.       On October 7, 2010, the Missouri Public Service Commission (Commission) issued its *Order Directing Notice of Contested Case and Setting Prehearing Conference*.
3.       All parties respectfully propose that the Commission adopt the following procedural schedule in this case:

<b><u>EVENT</u></b>	<b><u>DATE</u></b>
Case filing	May 10, 2010
Prehearing Conference	October 25, 2010
Local Public Hearing	November 15, 2010
Direct Testimony (all parties, non-settled issues)	November 23, 2010
Rebuttal Testimony (all parties)	December 21, 2010
Surrebuttal Testimony (if necessary)	December 28 2010
Reconciliation	December 29, 2010
Joint List and Order of Issues, list and Order of Witnesses, order of Cross-Examination	December 29, 2010
Statements of Position	December 30, 2010
Evidentiary Hearing	January 5-7, 2011 (7 <sup>th</sup> if necessary)

Briefs (all parties)	February 4, 2011
Operation of Law Date	April 11, 2011

4. 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 November 23, 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 November 23, 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.

5. Since the Disposition Agreement, Timber Creek, Public Counsel, and Staff have identified the remaining issues in the case. Parties agree that prefiled testimony and issues to be addressed in this matter be limited to the issues identified below:

- a. Timber Creek Staff Compensation/Timesheets/Overtime
- b. Rate Case Expenses
- c. Alternative Energy Gas Well Cost Recovery
- d. PSC Assessment
- e. Contingency/Emergency Repair Fund

**WHEREFORE** Timber Creek, Public Counsel and Staff submit 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 No. SR-2010-0320.

Respectfully submitted,

/s/ Jaime N. Ott  
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Attorneys for Timber Creek Sewer Company

**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 18<sup>th</sup> day of October, 2010

/s/ Jaime N. Ott