

In the Matter of the Application of Union Electric)
Company d/b/a Ameren Missouri for Permission and)
Approval and a Certificate of Public)
Convenience and Necessity Authorizing)
it to Construct, Install, Own,) File No. EA-2012-0281
Operate, Maintain, and Otherwise Control and Manage)
A Utility Waste Landfill and Related Facilities at its)
Labadie Energy Center.)

COME NOW Union Electric Company d/b/a Ameren Missouri (Ameren Missouri), the Staff of the Missouri Public Service Commission (Staff), the Office of the Public Counsel (OPC), and the Labadie Environmental Organization and Sierra Club (collectively, the Environmental Intervenors), and hereby submit this Jointly Proposed Procedural Schedule, and in support thereof state as follows:

1. During the Prehearing Conference held by the Commission on March 11, 2013, the Regulatory Law Judge presiding over this case requested the parties file a proposed procedural schedule (if agreement on such schedule could be reached). The parties have reached agreement on a proposed procedural schedule, which is reflected herein. The parties request that the Commission adopt the procedural schedule set forth in paragraph 2 below, and also adopt the related procedural items that have been agreed upon, as reflected in paragraph 3 below.

Procedural Schedule

Non-Company Parties File Rebuttal Testimony May 31, 2013

Local Public Hearing – Franklin County	Week of June 24, 2013 ¹
Company Files Surrebuttal/Other Parties’ Cross-Surrebuttal Testimony	June 28, 2013
Deadline to File List of Issues, List of Witnesses, Order of Cross-Examination, and Order of Opening Statements	August 16, 2013
Deadline to File Statements of Position	September 3, 2013
Evidentiary Hearings	Sept. 23-25, 2013
Deadline to File Initial Briefs	October 22, 2013
Deadline to File Reply Briefs	November 12, 2013

3. The parties also have agreed to the following procedures and request the Commission order these agreed to procedures be included in the Commission’s Order setting the Procedural Schedule for this case:

(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 (.PDF, .DOC, .WPD, .XLS, etc.). Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.

(b) 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. 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 response from the party answering the data request. Data requests, objections to data requests, and notifications respecting the need for additional time to respond to data

¹ Ameren Missouri does not agree that a local public hearing is necessary or appropriate, for the reasons discussed in its *Suggestions in Opposition* to the interventions of the Environmental Intervenors. However, Ameren Missouri will not object to the Commission holding a local public hearing in Franklin County, Missouri, with the understanding that by not objecting to the holding of such a hearing Ameren Missouri does not waive any arguments relating to the proper scope of this case.

requests shall be sent by e-mail to counsel for the other parties. Counsel may designate other personnel to be added to the service list for data requests, but shall assume responsibility for compliance with any restrictions on confidentiality. 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. In the case of Ameren Missouri data request responses, Ameren Missouri shall post its data request responses on its Caseworks Extranet site; however, in the case of responses to data requests Staff issues to it, Ameren Missouri shall also submit the responses to Staff data requests in EFIS, if feasible, or in electronic format on compact disc or by other means agreed to by Staff counsel, if infeasible.)

(c) The response time for all data requests commencing with data requests served after the due date for rebuttal testimony is 10 calendar days to provide the requested information, and 5 business days to object or notify that more than 10 calendar days will be needed to provide the requested information. 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 (except that, with the exception of responses to Staff, responses will not be needed for Ameren Missouri's data request responses posted on the Company's Caseworks Extranet site).

(d) Workpapers prepared in the course of developing a witness' testimony (including schedules) and exhibits shall 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 shall be appropriately marked.

(e) 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 that original format, the party providing the workpaper or response shall provide this type of information in that original format with formulas intact. With the exception of workpapers provided to Staff, Ameren Missouri may provide workpapers by posting the same on its Caseworks Extranet site, with e-mail notification to counsel for the parties to be provided essentially concurrently with the posting of workpapers on the Extranet site. Ameren Missouri shall provide its workpapers to Staff in electronic format by e-mailing or by delivery of a compact disc or other electronic storage media.

(f) Documents filed in EFIS shall be considered properly served by serving the same on counsel of record for all other parties via e-mail.

(g) All data requests, subpoenas, or other discovery requests or notices shall be issued no later than August 9, 2013.

(h) All motions to compel a response to any discovery request shall be filed no later than August 23, 2012.

WHEREFORE, the parties file the Jointly Proposed Procedural Schedule set forth in paragraph 2 above, and request that the Commission adopt the same and include in its order its adoption of the procedural items requested by the parties in paragraph 3 above.

Respectfully submitted,

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**Attorneys for the Staff of the
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was served via e-mail on all counsel of record this 18th day of March, 2013.

/s/James B. Lowery