

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

In The Matter of the Joint Application)
 Of the Empire District Electric Company,)
 Liberty Utilities (Central) Co., and) File No. EM-2016-0213
 Liberty Sub Corp. for Approval of an)
 Agreement and Plan of Merger and)
 For Other Related Relief)

MOTION TO ESTABLISH PROCEDURAL SCHEDULE

COME NOW the Staff of the Missouri Public Service Commission (Staff), The Empire District Electric Company, Liberty Utilities (Central) Co., Liberty Sub Corp., and, the Office of the Public Counsel (collectively the “Movants”), state as follows to the Missouri Public Service Commission (Commission):

1. On March 16, 2016, The Empire District Electric Company, Liberty Utilities (Central) Co., and Liberty Sub Corp. filed a Joint Application with the Commission in the above-captioned case. The applicants filed direct testimony with the Joint Application.
2. The Movants have discussed the procedural matters listed below and propose the following procedural schedule:

Intervention Deadline	April 14, 2016
Technical Conference	May 16, 2016 (1:00 pm)- May 17, 2016 (if necessary)
Second Technical Conference	June 1, 2016
Rebuttal Testimony	July 6, 2016
Surrebuttal Testimony	July 22, 2016
List of Issues/ Order of Witnesses/ Order of Cross	July 28, 2016
Position Statements	August 4, 2016
Hearing	August 15-17, 2016

4. The Movants propose the following procedures and request that these procedures be accepted by the Commission:

a. All parties shall provide copies of exhibits and pleadings to other counsel by electronic means and in electronic form essentially concurrently with the filing of such 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 into electronic format for purposes of exchanging it.

b. Whenever possible data request questions should not contain 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 prominently marked and appropriately designated as such pursuant to 4 CSR 240-2.135.

c. 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. When serving data requests, counsel for each party shall send to counsel for each other party an electronic copy of the text of data request "descriptions." 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.

d. Any party seeking the response to a data request that has been issued by another party shall request a copy of the response from the party answering the data request.

e. 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.

f. For data requests served before the filing of rebuttal testimony, the response time for all data requests shall be 20 calendar days, and 10 calendar days to object or notify that more than 20 calendar days will be needed to provide the requested information. For data requests served after the filing of rebuttal testimony, the response time for data requests shall be 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. For data requests served after the filing of surrebuttal testimony, the response time for data requests shall be 5 business days to provide the requested information, and 3 business days to object or notify that more than 5 business days will be needed to provide the requested information.

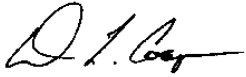
g. Workpapers that were prepared in the course of developing a witness' testimony should not be filed with the Commission but should be submitted to each party within 2 business days following the filing of the particular testimony without further request. Workpapers containing highly confidential or 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. Counsel shall undertake to advise other counsel if the sponsored witness has no workpapers related to the round of testimony.

h. 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 or outputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format.

j. Filings may be properly served by serving the same on counsel of record for all other parties via e-mail essentially contemporaneously with the EFIS filing.

WHEREFORE, the Movants respectfully request the Commission issue its order establishing the procedural matters as set forth herein.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent via electronic mail, this 21st day of April, 2016, to the following:

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