

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

In the Matter of the First Prudence Review	)	
of the Missouri Energy Efficiency Act	)	
("MEEIA") Cycle 2 Energy Efficiency	)	File No. EO-2018-0155
Programs of Union Electric Company /d/b/a	)	
Ameren Missouri.	)	

**JOINTLY MODIFIED PROCEDURAL SCHEDULE**

**COME NOW** Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri"), Staff of the Missouri Public Service Commission ("Staff" and "Commission," respectively), the Office of Public Counsel, and jointly propose the following modification to the requested procedural schedule previously submitted to the Commission on June 12, 2018. In support of this position, the signatories state as follows:

1. On June 12, 2018, Staff and Ameren Missouri submitted a Joint Proposed Procedural Schedule for the Commission's consideration. This procedural schedule included an evidentiary hearing scheduled for October 2, 2018. Ameren Missouri and Staff are also parties to File No. EO-2018-0211, which addresses Ameren Missouri's Missouri Energy Efficiency Act ("MEEIA") 2019-2024 energy efficiency programs ("MEEIA 2019-24").

2. On June 19, 2018, the parties to MEEIA 2019-24 participated in a procedural conference to discuss a procedural schedule for File No. EO-2018-0211. Due to various time constraints, the parties determined that October 2 – 5, 2018, was the optimal date to conduct a hearing for MEEIA 2019-2024. Because a hearing in File No. EO-2018-0155 is only anticipated to last one day, the parties to this case agreed that its hearing could be moved to October 1, 2018, to accommodate the four days of hearing anticipated for MEEIA 2019-24.

3. Accordingly, Ameren Missouri and Staff request that the evidentiary hearing date they proposed for this proceeding – October 2, 2018 – be modified to October 1, 2018. Ameren

Missouri and Staff maintain that the remaining dates and requirements in the Joint Proposed Procedural Schedule can remain unchanged. Accordingly, Ameren Missouri and Staff request the following procedural schedule and proposed procedural requirements be adopted:

<b>Date</b>	<b>Event</b>
July 10, 2018	Settlement Conference
July 31, 2018	Ameren Missouri Direct Testimony
August 20, 2018	Staff/Party Rebuttal Testimony
September 14, 2018	Surrebuttal/Cross-Surrebuttal Testimony
September 21, 2018	Last Date for Discovery
September 21, 2018	List of Issues/Witnesses and order of Cross/Openings
September 25, 2018	Statement of Positions
<b>October 1, 2018</b>	<b>Evidentiary Hearing</b>
October 15, 2018	Initial Briefs
October 22, 2018	Reply Briefs

#### **Proposed Procedural Requirements**

- A. All parties must comply with the requirements of Commission Rule 4 CSR 240-2.130 for prepared testimony.
- B. Although all parties may not agree how each issue should be described or whether a listed issue is in fact a proper issue in this case, the parties shall file a joint list of the issues to be heard, the witnesses to appear, the order in which they will be called, and the order of cross-examination for each witness. The list of issues should be detailed enough to inform the Commission of each issue that must be resolved.
- C. Each party will file a simple and concise statement summarizing its position on each disputed issue.
- D. All pleadings, briefs and amendments shall be filed in accordance with Commission Rule 4 CSR 240-2.080.

- E. If part of testimony or documents are prefiled and served on the parties before a hearing, a party need only provide a copy of the testimony or document to the court reporter for marking as an exhibit at the evidentiary hearing. If not prefiled and served on the parties, then a party who has a document marked for use at the hearing shall have sufficient copies of the document to provide a copy not only to the court reporter, but also to each of the Commissioners, the presiding regulatory law judge, and counsel for each other party.
- F. 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.
- G. Public documents filed in the Commission's Electronic Filing and Information System ("EFIS") shall be considered properly served by serving the same on counsel of record for all other parties via e-mail. The parties agree confidential documents may be obtained from EFIS and so agree not to serve those documents via email.
- H. 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 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, 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.
- I. The parties shall make an effort to not include confidential information in data requests. If confidential information must be included in a data request, the confidential information shall be appropriately designated as such pursuant to Commission Rule 4 CSR 240-2.135.

- J. The response time for all data requests shall be fifteen (15) calendar days, with five (5) calendar days to object or notify the requesting party that more than ten (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 Ameren Missouri's Caseworks Extranet site).
- K. 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 two (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. If there are no workpapers associated with testimony, the party's attorney shall so notify the other parties within the time allowed for providing those workpapers.
- L. 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.

WHEREFORE, the Signatories to this pleading request the Commission modify the requested procedural schedule previously submitted to the Commission on June 12, 2018.

Respectfully submitted,

/s/ Paula N. Johnson

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was served on the Staff of the Commission and the Office of the Public Counsel on this via electronic mail (e-mail) on this 22<sup>nd</sup> day of June, 2018.

/s/ Paula N. Johnson  
Paula N. Johnson