

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

In the Matter of the Application of Lake Region)
Water & Sewer Company for a Certificate of)
Public Convenience and Necessity Authorizing It)
to Construct, Install, Own, Operate, Control,)
Manage, and Maintain a Centralized Sewage Col-) Case No. SA-2000-295
lection and Treatment System in an Area in an)
Unincorporated Area in Camden County, Missouri,)
as an Expansion of Its Existing Certificated)
Area.)

ORDER ADOPTING PROCEDURAL SCHEDULE

On October 22, 1999, Lake Region Water & Sewer Company (LRWS) filed an application requesting a certificate of convenience and necessity authorizing it to construct, install, own, operate, control, manage, and maintain a centralized sewage collection and treatment system in an unincorporated area of Camden County, Missouri, as an expansion of its existing certificated area. On February 17, 2000, the Commission granted intervention to Bristol Bay Condominium Owners Association, Inc., The Falls Condominium Owners' Association, Inc., and Regatta Bay Owner's Condominium Association, Inc., (collectively referred to as the Association Intervenors), and Southwood Shores Condo Owners Association, Inc. (Southwood). The Commission granted intervention to The Willows Condo Owners' Association, Inc. (Willows Condo), and Four Seasons Lakesites, Inc. (Four Seasons), on April 11, 2000.

On March 13, 2000, the parties, including the intervenors, met for a prehearing conference. On April 6, 2000, the Staff of the

Missouri Public Service Commission (Staff) filed a Joint Proposed Procedural Schedule on behalf of all the parties.

The Commission has reviewed the proposed procedural schedule and finds it to be appropriate. The Commission will apply the conditions set out below to the procedural schedule in this case.

(A) The Commission will require the prefiling of testimony as defined in 4 CSR 240-2.130. All parties shall comply with this rule, including the requirement that testimony be filed on line-numbered pages. The practice of prefiling testimony is designed to give parties notice of the claims, contentions and evidence in issue and to avoid unnecessary objections and delays caused by allegations of unfair surprise at the hearing.

(B) Pursuant to 4 CSR 240-2.130(15), testimony and schedules shall not be filed under seal and treated as proprietary or highly confidential unless the Commission has first established a protective order. Any testimony or schedule filed without a protective order first being established shall be considered public information.

(C) The parties shall agree upon and the Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing and the order in which they shall be called, and the order of cross-examination for each witness. The Commission will view any issue not contained in this list of issues as uncontested and not requiring resolution.

(D) Each party shall file a statement of its position on each disputed issue. Such statement shall be simple and concise, and shall

not contain argument about why the party believes its position to be the correct one.

(E) The Commission's general policy provides for the filing of the transcript within two weeks after the hearing. If any party seeks to expedite the filing of the transcript, such request shall be tendered in writing to the regulatory law judge at least five days prior to the date of the hearing.

(F) All pleadings, briefs and amendments shall be filed in accordance with 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and shall set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(G) All parties are required to bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has been prefiled, only three copies of the exhibit are necessary for the court reporter. If an exhibit has not been prefiled, the party offering it should bring, in addition to the three copies for the court reporter, copies for the five Commissioners, the regulatory law judge, and all counsel.

IT IS THEREFORE ORDERED:

1. That the following procedural schedule is adopted, subject to the conditions discussed above:

<u>Event</u>	<u>Date</u>
Direct testimony by applicant	May 16, 2000 3:00 p.m.
Rebuttal testimony (all parties)	June 30, 2000 3:00 p.m.

Surrebuttal and cross-surrebuttal testimony (all parties)	August 1, 2000 3:00 p.m.
Prehearing conference	August 10, 2000 10:00 a.m.
List of issues, list of witnesses, and order of cross-examination	August 17, 2000 3:00 p.m.
Position statements on issues	August 24, 2000 3:00 p.m.
Evidentiary hearing	September 25 and 26, 2000 10:00 a.m. on Sept. 25

2. That the prehearing conference and evidentiary hearing will be held at the Commission's offices on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Any person with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one of the following numbers: Consumer Services Hotline - 1-800-392-4211, or TDD Hotline - 1-800-829-7541.

3. That this order shall become effective on April 25, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Vicky Ruth, Regulatory Law Judge,
by delegation of authority pursuant
to 4 CSR 240-2.120(1) (November 30,
1995) and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 13th day of April, 2000.