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Case No. EA-2000-37

ORDER ADOPTING PROCEDURAL SCHEDULE

On July 21, 1999, Union Electric Company, doing business as AmerenUE (UE), filed its application for findings by the Commission under 15 U.S.C. § 79z-5a(c), the Public Utilities Holding Company Act (PUHCA), relating to Exempt Wholesale Generators. UE seeks these findings in connection with a proposed restructuring of its Illinois-based affiliate, AmerenCIPS. According to UE's application, that restructuring proposes the transfer of all generating assets currently owned by AmerenCIPS, and associated liabilities, to a new affiliate to be known as Genco. UE asserts that all of the generating assets involved are located in Illinois and none are located in Missouri. UE has requested that the Commission make these findings within 90 days of the date of filing.

On September 20, 1999, a prehearing conference was held in this matter. Thereafter, on September 23, 1999, the Staff of the Missouri Public Service Commission on behalf of all the parties filed a proposed procedural schedule. The Commission has reviewed the proposed schedule and finds the dates appropriate for this case. Therefore, the Commission

adopts the proposed schedule and finds that the following conditions should be applied to the schedule:

(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) The parties shall agree on and file a list of issues to be determined herein by the Commission. Staff shall be responsible for actually drafting and filing the list of issues and the other parties shall cooperate with Staff in the development thereof. Any issue not included in the issues list will be presumed to not require determination by the Commission.

(C) Each party shall file a list of the witnesses to appear on each day of the hearing and the order in which they shall be called.

(D) Each party shall file a statement of its position on each disputed issue, including a summary of the factual and legal points relied on by the party. This statement shall be simple and concise, shall follow the issues set out in the issues list, and shall not contain argument about why the party believes its position to be the correct one. The position statement shall be filed in both paper form and electronically, either on computer disk or by e-mail. Electronically-

submitted documents shall be in Word, Word Perfect, or ASCII format. The regulatory law judge's e-mail address is: ktomp099@mail.state.mo.us.

(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. The briefs to be submitted by the parties shall follow the same list of issues as filed in the case. The briefs must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission. Each principal brief shall not exceed 30 pages in length; reply briefs shall not exceed 15 pages in length. The presiding officer will establish a briefing schedule at the close of the hearing.

(G) Together with their brief, each party shall file proposed findings of fact and conclusions of law. These shall be filed in both paper and electronic form as provided above in paragraph (D) with respect to position statements.

(H) All parties are required to bring an adequate number of copies of exhibits which 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 for this case:

UE's direct testimony	October 4, 1999 3:00 PM
Rebuttal testimony Staff and OPC	October 19, 1999 3:00 PM
List of Issues, Order of Witnesses, Order of Cross- Examination - all parties	October 26, 1999 3:00 PM
Surrebuttal/Cross-Surrebuttal testimony--All parties	October 28, 1999 3:00 PM
Position Statements of each party on all issues	November 3, 1999 3:00 PM
Evidentiary Hearing	November 12, 1999 9:00 AM

The hearing will be held 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.

2. That this order shall become effective on September 27, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Kevin A. Thompson, Deputy Chief
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 27th day of September, 1999.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION