

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a session of the Public Service  
Commission held at its office  
in Jefferson City on the 2nd  
day of June, 1992.

In the matter of The Raytown Water Company's tariffs to )  
provide for a permanent increase in rates for water ) Case No. WR-92-85  
service. )  
)

**ORDER RESETTING PROCEDURAL SCHEDULE**

On May 29, 1992, the Office of Public Counsel (Public Counsel) and the City of Raytown (City) filed a Motion For Reconsideration Or Extension of Procedural Schedule. This motion is an extension of the motion filed by Public Counsel and the City on May 26, 1992 to strike supplemental direct testimony of the Commission's Staff. In that motion the Public Counsel and the City claimed that the supplemental direct testimony of Staff witness, William Meyer, presented a radically new position regarding the calculation of the surcharge in this case which in effect totally replaced Staff's position in its prefiled direct testimony. Public Counsel and the City deemed this issue to be "crucial". Public Counsel and the City claimed that they had insufficient time to conduct discovery and thus analyze the new theories, methods, and calculations used to generate said supplemental direct testimony. Staff objected to the arguments of Public Counsel and the City. The Commission in its Order Approving Filing Of Supplemental Direct Testimony, Denying Motion To Strike, And Modifying Procedural Schedule entered on May 28, 1992 found good cause for the filing of supplemental direct testimony pursuant to 4 CSR 240-2.130(13); the good cause specifically being the filing of a nonunanimous stipulation and agreement by the Staff and The Raytown Water Company. In its order of May 28, 1992 the Commission extended the time for

filing rebuttal testimony and surrebuttal testimony and reset the hearing to begin June 4, 1992.

The Commission is in the precarious position of attempting to meet all parties' procedural expectations. The Commission on April 1, 1992 readily amended the procedural schedule when requested by Staff. On May 15, 1992 the Commission amended the procedural schedule in light of the nonunanimous stipulation and agreement being filed on May 15, 1992. In that order the Commission requested a hearing memorandum be filed by all parties on May 26, 1992. No party filed a hearing memorandum on that date. The Commission has done all that it can do to assure procedural due process and maintain dates of the first week of June for the hearing. It would appear to the Commission that all the parties have been delinquent in cooperating to maintain the amended procedural schedule ordered on May 15, 1992.

Be that as it may, the Commission does not wish to prejudice any party in its ability to properly prepare its case for hearing. With that being foremost in the Commission's consideration, the procedural schedule will be once again ordered amended.

**IT IS THEREFORE ORDERED:**

1. That the procedural schedule in this matter is modified as follows:

All parties' additional rebuttal testimony	June 22, 1992
Amended hearing memorandum and amended reconciliation	June 26, 1992
All parties' additional surrebuttal testimony	June 29, 1992
Hearing	July 7-10, 1992

2. That this order shall become effective on the date hereof.

BY THE COMMISSION

*Brent Stewart*

Brent Stewart  
Executive Secretary

(S E A L)

McClure, Chm., Mueller, Rauch,  
Perkins and Kincheloe, CC., concur.