

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

In the Matter of the Application of NextEra)
Energy Transmission Southwest, LLC for a)
Certificate of Public Convenience and)
Necessity to Construct, Install, Own, Operate,)
Maintain, and Otherwise Control and Manage) File No. EA-2022-0234
a 345 kV Transmission Line and associated)
facilities in Barton and Jasper Counties,)
Missouri)

MOTION FOR SCHEDULING CONFERENCE

COMES NOW NextEra Energy Transmission Southwest, LLC (“NEET Southwest”) and submits this Motion for Scheduling Conference to the Missouri Public Service Commission (“Commission”).

1. On July 7, 2022, NEET Southwest filed an Application and Direct Testimony in support of its request for a certificate of convenience and necessity (“CCN”) to construct, install, own, operate, maintain, and otherwise control and manage a 345 kV transmission line and associated facilities in Barton and Jasper Counties, Missouri.

2. On July 12, 2022, the Commission issued a Corrected Order Directing Notice, Setting Deadlines for Intervention Requests, and Directing Staff Recommendation (“Order”). The Order set a deadline of August 5, 2022 for applications to intervene and directed Commission Staff to file, no later than August 25, 2022, either a recommendation regarding NEET Southwest’s application or a status report advising when it expects to file a recommendation.

3. NEET Southwest submits that a full procedural schedule, including the reservation of dates for an evidentiary hearing (if necessary), will be beneficial to the parties and the Commission, and will facilitate the efficient processing of NEET Southwest’s Application. To facilitate the establishment of a full procedural schedule, NEET Southwest respectfully requests

that the Commission or the assigned Regulatory Law Judge issue an order setting a date for a Scheduling Conference as soon as practicable.

4. To facilitate discussion at the requested Scheduling Conference, NEET Southwest proposes the procedural schedule set forth below.

Date	Event
Deadline for Intervention	August 5, 2022
Local Public Hearing	Week of September 12-16, 2022 ¹
Staff Report and Intervenor Direct Testimony	September 22, 2022
NEET Southwest Rebuttal Testimony and Staff/Intervenor Cross-Answering Testimony	October 4, 2022
Last Day for Discovery Requests	October 11, 2022
List of Issues, List of Witnesses, and Order of Cross-Examination	October 18, 2022
Position Statements	October 19, 2022
Evidentiary Hearing	October 26-28, 2022
Initial Post-Hearing Briefs	November 11, 2022
Reply Post-Hearing Briefs	November 18, 2022
Requested Commission Order	December 21, 2022

¹ NEET Southwest will work with Commission Staff and Office of the Public Counsel to determine the appropriate date, time, and procedures for the local public hearing.

5. NEET Southwest has discussed the schedule and the potential for shortened discovery deadlines with Commission Staff.² NEET Southwest is not opposed to reasonable modifications to discovery deadlines and looks forward to discussing the same at the Scheduling Conference.

6. In addition, NEET Southwest proposes the following procedural requirements, subject to discussion among the parties at the requested Procedural Conference:

- a. Although not all parties may agree upon how each issue should be described or on whether a listed issue is in fact a proper issue in this case, the parties shall agree upon and file a list of the issues to be heard, the witnesses to appear on each day of the hearing, 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. The Commission will view any issue not contained in this list of issues as uncontested and not requiring resolution by the Commission.
- b. Each party shall file a simple and concise statement summarizing its position on each disputed issue. Position statements shall track the list of issues.
- c. All parties shall provide copies of testimony, schedules, exhibits, and pleadings to other counsel of record by electronic means and in electronic form essentially concurrently with the filing of such testimony, schedules, 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.
- d. All data requests, subpoenas, or other discovery requests shall be issued no later than October 6, 2022. October 6, 2022 shall also be the last day by which a deposition may be taken.
- e. Testimony or reports shall be pre-filed as defined in Commission Rule 20 CSR 4240-2.130.
- f. All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 20 CSR 4240-2.080. Briefs must set forth and cite the proper portions of the record in support of that party's position concerning the remaining unresolved issues that are to be decided by the Commission.

² Staff has not yet confirmed its agreement with all the proposed dates.

- g. 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.
- h. 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.
- i. 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. Data requests issued to or by Staff shall be submitted and responded to in EFIS, if feasible, or in electronic format on compact disc or by other means agreed to by counsel, if infeasible. Regarding Staff-issued data requests, if the description contains confidential 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.
- j. 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 20 CSR 4240-2.135 and any Protective Order issued in this case.
- k. Where 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.
- l. Exhibit number will be assigned by the Administrative Law Judge prior to hearing. Exhibits shall be marked as set forth in Commission Rule 20 CSR

4240-2.135(10)(C). For example, public exhibit two would be marked as Exhibit 2, whereas the confidential exhibit two would be marked as Exhibit 2C.

- m. Each party shall prepare a list of its exhibits and submit a copy of that list to every other party and to the regulatory law judge no later than October 24, 2022. The lists shall not be filed in the EFIS case file. Exhibits that may be offered during cross-examination, but which have not been pre-filed, need not be included on the list. However, when those documents are offered during the hearing, they will be assigned a number from that party's number group.

WHEREFORE, NEET Southwest respectfully requests the Commission set a Scheduling Conference as soon as practicable and for any other relief deemed necessary and appropriate by the Commission for the processing of NEET Southwest's Application.

Respectfully submitted,

/s/ Andrew O. Schulte

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ATTORNEYS FOR NEXTERA ENERGY TRANSMISSION
SOUTHWEST, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon the parties listed on the official service list by email, this 8th day of August, 2022.

/s/ Andrew O. Schulte _____
Attorney for NextEra Energy Transmission
Southwest, LLC