

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

Jimmie E. Small)	
)	
Complainant)	
)	
v.)	<u>Case No. EC-2011-0247</u>
)	
Union Electric Company d/b/a Ameren)	
Missouri,)	
)	
Respondent.)	

**STAFF'S MOTION TO LATE FILE PROPOSED PROCEDURAL SCHEDULE
AND
RESPONSE TO AMEREN MISSOURI'S PROCEDURAL SCHEDULE**

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through the undersigned counsel, and respectfully submits the following motion, proposed procedural schedule and response to the Commission stating the following:

1. On April 19, 2011, the Commission convened a prehearing conference in this matter. During the prehearing conference, Regulatory Law Judge Jordan requested that the Staff file a pleading by the next business day advising of any progress made during the conference, including any proposed procedural schedule agreed to by the Parties.

2. Unfortunately, the Parties were neither able to make progress towards a resolution of this case without an evidentiary hearing, nor agree on a joint procedural schedule to propose to the Commission by April 22, 2011.

3. On April 21, 2011, Union Electric Company d/b/a Ameren Missouri (Ameren Missouri or Company) requested an extension to file a procedural schedule due to conflicts in scheduling. The Commission granted the request by Order the same day, and directed the Parties to file proposed procedural schedules by May 4, 2011.

4. Due to an extended absence, the undersigned was not able to file the Staff's proposed procedural schedule on May 4, 2011, and requests that the Commission allow the Staff to late file its proposed procedural schedule at this time. The Staff will also submit its response to Ameren Missouri's proposed schedule herein as the ten-day response period has not passed.

5. The Staff submits the following conflict dates for an evidentiary hearing between May 17 and June 17, 2011: afternoon of May 20; May 25; and June 14, 2011. The Staff requests that the Commission schedule the hearing for the later part of the suggested time period, June 15-17, 2011, to allow the undersigned to adequately prepare and complete any final discovery necessary.

6. The Staff recommends that May 17, 2011, be the deadline for serving any final discovery upon a party. Anticipating compliance with the Commission's twenty-day response period for data requests, the Parties would respond to all remaining discovery by June 6, 2011, allowing adequate time to prepare for an evidentiary hearing scheduled during June 15-17, 2011.

7. The Staff further recommends that the parties file separate proposed lists of issues, witnesses and order of cross examination by June 8, 2011, allowing the Commission a week prior to the evidentiary hearing to issue any necessary orders.

WHEREFORE, the Staff files this motion, proposed procedural schedule and response for the Commission's information and consideration, and requests that the Commission issue an Order as recommended herein.

Respectfully submitted,

/s/ Jennifer Hernandez
Jennifer Hernandez
Associate Staff Counsel
Missouri Bar No. 59814

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via first class U.S. postal mail, postage prepaid, on Jimmie E. Small, 606 West Hwy #2 Milton, IA 52570; Sarah Giboney and Wendy Tatro, attorneys for Ameren Missouri at giboney@smithlewis.com and AmerenMOService@ameren.com; and the Office of Public Counsel at opcservice@ded.mo.gov this 11th day of May, 2011.

/s/ Jennifer Hernandez