

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
November 27, 2000**

CASE NO: SM-2000-608

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

William G. Todd
P.O. Box 2219
722 W. Center Circle
Nixa, MO 65714

Deborah Neff
Attorney General's Office
8th Floor, Broadway Building
P. O. Box 899
Jefferson City, MO 65102

Don Busch
Ozark Waste Water Management
1845 S National
Springfield, MO 65808

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Ozark	)	
Water and Wastewater Management Co., Inc. to	)	
Sell and Transfer its Franchise, Treatment	)	
Plant and Substantially All its Assets to	)	<u>Case No. SM-2000-608</u>
Northern Christian County Regional Wastewater	)	
Facility, Inc. (a Non-Profit Sewer Corporation	)	
under 393.825, RSMo)	)	

ORDER ADOPTING PROCEDURAL SCHEDULE

On November 14, 2000, the Staff of the Commission (Staff) filed a Proposed Procedural Schedule. Staff's pleading indicates that all parties approve of the proposed procedural schedule with the exception of the Missouri Department of Natural Resources (DNR). Staff states that it was unsuccessful in its attempt to contact DNR's counsel of record on November 14 regarding the proposed procedural dates. 4 CSR 240-2.080(16) allows DNR ten days in which to respond to Staff's proposed procedural schedule. Neither DNR, nor any other party, has filed a response to Staff's proposal.

The Commission has reviewed the proposed procedural schedule and finds that it is generally appropriate. However, the June 12 and 13 dates requested for the hearing are no longer available. As a result each date of the proposed schedule will be pushed back two weeks. The Commission finds that the following conditions should be applied:

(A) The Commission will require the prefiling of testimony as defined in Commission Rule 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 Commission Rule 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. Any issue not contained in this list of issues will be viewed as uncontested and not requiring resolution by the Commission.

(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 Commission Rule 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 established for this case:

Direct testimony by Applicants	-	March 15, 2001 3:00 p.m.
Rebuttal testimony	-	April 26, 2001 3:00 p.m.
Prehearing Conference	-	May 9, 2001 10:00 a.m.
Surrebuttal testimony by all parties	-	May 24, 2001 3:00 p.m.
List of issues; order of witnesses and cross-examination	-	May 31, 2001 3:00 p.m.
Statement of the position of each party on each issue	-	June 7, 2001 3:00 p.m.
Evidentiary Hearing	-	June 26 & 27, 2001 8:30 a.m.

2. That the evidentiary hearing will be held in the offices of the Missouri Public Service Commission in Jefferson City, Missouri. This hearing will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. Any person needing additional accommodations to participate in this hearing may call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or 1-800-829-7541 (TDD) prior to the hearing.

3. That this order shall become effective on December 7, 2000.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read "Dale Hardy Roberts". The signature is written in a cursive, somewhat stylized script.

**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

(S E A L)

Morris Woodruff, Senior Regulatory Law
Judge, by delegation of authority
pursuant to Section 386.240, RSMo 1994.

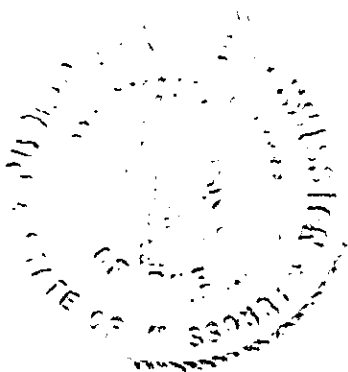
Dated at Jefferson City, Missouri,
on this 27th day of November, 2000.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 27th day of Nov. 2000.



A handwritten signature in dark ink, reading "Dale Hardy Roberts". The signature is written in a cursive style with a prominent initial "D".

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge