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

In the Matter of The Empire	)	
District Electric Company's Request	)	**Case No. ER-2016-0023**
For Authority to Implement a General	)	Tracking No.: YE-2016-0104
Rate Increase for Electric Service	)	

Joint Motion to Set Test Year and
To Establish Procedural Schedule

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and on behalf of all the parties, tenders this *Joint Motion to Set Test Year and to Establish Procedural Schedule,* stating:

Test Year

1.   The Parties shall use the EMS run developed by Staff in Case No. ER-2014-0351 and dated March 26, 2015, as a starting point solely for calculation of Empire's revenue requirement. Any party may propose adjustments to revenues and any rate base and expense items. The data shall be updated for revenues, changes in investment to rate base and expense items as of June 30, 2015, and subsequent thereto. The data shall be trued-up through March 31, 2016. Rate base items for Riverton through March 31, 2016 may be included if the in-service criteria for Riverton is determined by the Commission pursuant to § 393.135, RSMo., in this case to have been met by June 1, 2016.

Discovery Conditions

2.   The Parties agree to provide all workpapers, in electronic format, whenever feasible, within two business days following the date on which the related testimony is filed.

3.   Where workpapers or 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 or outputs, 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.

4.   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.

5.   The Parties agree as follows with respect to Data Requests:

(A)   Until January 30, 2016, the response time for all data requests shall be twenty (20) calendar days, with ten (10) calendar days to object or to notify the requesting party that more than twenty (20) calendar days will be needed to provide the requested information.

(B)   On and after January 30, 2016, the response time for data requests shall be fifteen (15) calendar days to provide the requested information, and eight (8) calendar days to object or to notify the requesting party that more than fifteen (15) calendar days will be needed to provide the requested information.

(C)   On and after April 28, 2016, the response time for data requests shall be five (5) business days to provide the requested information, and three (3) business days to object or to notify the requesting party that more than five (5)

business days will be needed to provide the requested information.

6.   The Parties agree to the following provisions regarding discovery:

        (A)   The Regulatory Law Judge shall set discovery conferences at regular intervals. Discovery conferences shall be held on one week's prior notice to all parties.

        (B)   Discovery conferences will be held in Room 305 at the Commission's office at the Governor's Office Building, 200 Madison Street, Jefferson City, Missouri. Each discovery conference will begin at 10:00 a.m.

        (C)   Not less than two (2) business days before each discovery conference, any party that has a discovery disagreement or concern involving another party shall file a brief statement describing that disagreement or concern and identifying any other parties involved. Such statement does not need to be a formal motion to compel. Any party may attend a discovery conference, but only those parties involved in an identified discovery disagreement must attend.

        (D)   Discovery conferences shall be on the record and shall be transcribed by a court reporter.

        (E)   Any pending written discovery motion may be taken up at a discovery conference and may be ruled upon by the presiding regulatory law judge either on the record, or in a written order.

        (F)   Commission Rule 4 CSR 240-2.090's requirement that a party must seek a telephone conference with the presiding officer before filing a discovery motion is waived.

        (G)   All direct case data requests, subpoenas, or other discovery

requests shall be issued no later than May 2, 2016. With respect to deposing a witness, so long as a notice of deposition is issued by May 2, 2016, the deposition may occur, notwithstanding that the deposition will take place after May 2, 2016, or that there could be other conditions that must be satisfied prior to the deposition.

(H)   All motions to compel a response to any discovery request related to the direct case shall be filed no later than May 17, 2016. The Parties shall make an effort to resolve all discovery disputes well before the hearing; however, the Parties shall present any outstanding motions to compel to the regulatory law judge at the beginning of the hearings on May 31, 2016.

(I)   All true-up data requests, subpoenas, or other discovery requests shall be issued no later than June 26, 2016. With respect to deposing a witness, so long as a notice of deposition is issued by June 26, 2016, the deposition may occur, notwithstanding that the deposition will take place after June 26, 2016, or that there could be other conditions that must be satisfied prior to the deposition.

(J)   All motions to compel a response to any discovery request related to the true-up case shall be filed no later than June 24, 2016. The Parties shall make an effort to resolve all discovery disputes well before the hearing; however, the Parties shall present any outstanding motions to compel to the regulatory law judge at the beginning of the hearings on June 29, 2016.

(K) The Parties shall make an effort to not include in data request questions either highly confidential or proprietary information, and the Parties shall make an effort not to over-designate information as either highly confidential

or proprietary. If either highly confidential or proprietary information must be included in data request questions, the highly confidential or proprietary information should be appropriately designated as such pursuant to 4 CSR 240-2.135. Responsibility to make this designation is upon the party claiming such. Other parties are entitled to rely on the presence or absence of such designation.

(L)   Any data requests issued by or to Staff shall be submitted and responded to in the Commission's Electronic Filing and Information System (EFIS). All data requests other than those issued by or to Staff, as well as all objections to data requests, or notifications of the need for additional time to respond, shall be sent by e-mail to counsel for the other parties. Counsel may designate other counsel to be added to the certified service list and shall assume responsibility for compliance with any restrictions on confidentiality. If any party responds to a data request in EFIS, the response is available in EFIS to all counsel on the certified service list. Data request responses, other than responses to data requests issued by or to Staff, will be served on counsel for 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. 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 in writing a copy of the responses from the party answering the data request; thereby providing the responding party the opportunity to object. If a data request has been responded to, a party's request for a copy of the response shall timely be responded to, considering that the underlying data

request has already been responded to.

Proposed Procedural Schedule

7.   The Parties recommend that the Commission adopt the following

Procedural Schedule:

Item	**Date**
Non-Company Revenue Requirement Direct Testimony (except OPC and DOE)	March 25, 2016
OPC and DOE Revenue Requirement Direct Testimony	April 1, 2016
Non-Company Class Cost of Service and Rate Design Direct Testimony	April 8, 2016
Preliminary Reconciliation (not filed)	April 8, 2016
Local Public Hearings	April 13 & 14, 2016
Technical Conference	April 19-21, 2016
Preliminary Issues List	April 21, 2016
Rebuttal Testimony	April 27, 2016
Empire to provide true-up data to all parties	May 5, 2016
Surrebuttal Testimony	May 13, 2016
List of Issues, List and Order of Witnesses, Order of Opening, and Order of Cross-Examination	May 17, 2016
Final Reconciliation (to be filed)	May 17, 2016
Prehearing Conference (if needed)	May 24, 2016
Statements of Positions	May 25, 2016
Evidentiary Hearing	May 31 through June 10, 2016
True-up Direct Testimony	June 17, 2016

True-up Rebuttal Testimony	June 24, 2016
True-up Hearing (if needed)	June 29, 2016
Initial Briefs	July 8, 2016
Reply/True-up Briefs	July 22, 2016

WHEREFORE, Staff and the other Parties pray that the Commission will establish the Test Year and Procedural Schedule as set out herein.

Respectfully submitted,

/s/ Kevin A. Thompson
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Certificate of Service

The undersigned hereby certifies that a true and correct copy of the foregoing has been served, by hand delivery, electronic mail, or First Class United States Mail, postage prepaid, to all parties of record on the Service List maintained for this case by the Data Center of the Missouri Public Service Commission, **on this 17th Day of November, 2015.**

/s/ Kevin A. Thompson