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**BEFORE THE PUBLIC SERVICE COMMISSION**

**OF THE STATE OF MISSOURI**

In the Matter of the Tariff Filing of Union )  
Electric Company to Modify Interruptible ) **Case No. ET-99-96**  
Power Rate Schedule (Service Classification ) (Tariff File 9900102)  
No. 10(M) . )

**ORDER ADOPTING PROCEDURAL SCHEDULE**

On January 19, 1999, the Staff of the Missouri Public Service Commission (Staff) filed a proposed procedural schedule. The proposal indicates that the parties met on January 11, 1999, for the prehearing conference and developed the proposed schedule. The Commission has reviewed the proposed schedule and finds the dates appropriate for this case. Therefore, the Commission adopts the proposed schedule and finds that the following conditions should be applied to the schedule:

(A) The Commission will require the prefiling of testimony as defined in 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) The parties shall file a hearing memorandum setting out the issues to be heard and decided by the Commission, the witnesses to appear on each day of the hearing and the order in which they shall be called,

an appendix containing definitions of technical terms, each party's position on the disputed issues, and the order of cross-examination. Any issue not contained in the hearing memorandum will be viewed as uncontested and not requiring resolution by the Commission. Staff will be responsible for preparing and filing the hearing memorandum.

(C) The Commission emphasizes the importance of the deadline for filing the hearing memorandum. Commission Staff will be responsible for preparing and filing the hearing memorandum, and, unless the Commission orders otherwise, the hearing memorandum shall be filed on or before the date set. Each party is required to provide Staff with its position on each unresolved issue at least two business days prior to the filing deadline for the hearing memorandum. Each party shall either present the party's signature element (a signed page), shall provide written authorization to permit the General Counsel to sign for that particular party, or shall be available to sign the final draft at the offices of the General Counsel prior to the filing deadline. A hearing memorandum which is not signed is considered noncompliant as to the party whose signature is missing and any party who fails or refuses to sign the final copy of the hearing memorandum is hereby ordered to file its own hearing memorandum, which follows the same numbering and topic outline, by the hearing memorandum filing date.

(D) 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.

(E) All pleadings, briefs and amendments shall be filed in accordance with 4 CSR 240-2.080. The briefs to be submitted by the parties shall follow the same format established in the hearing memorandum. Initial briefs must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(F) All parties are required to bring an adequate number of copies of exhibits which 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 opposing counsel.

**IT IS THEREFORE ORDERED:**

1. That the following procedural schedule is adopted for this case:

Direct testimony of UE	January 21, 1999 3:00 PM
Rebuttal testimony of River Cement, Holman, Staff and the Office of Public Counsel	February 16, 1999 3:00 PM
Surrebuttal testimony of UE and cross-rebuttal testimony of all other parties	March 8, 1999 3:00 PM
Hearing Memorandum	March 9, 1999

Hearing

March 15-16, 1999  
10:00 AM first  
day

The hearing will be held on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Any person with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one of the following numbers: Consumer Services Hotline -- 1-800-392-4211, or TDD Hotline -- 1-800-829-7541.

2. That this order shall become effective on January 25, 1999.

BY THE COMMISSION



Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

(S E A L)

Bill Hopkins, Senior Regulatory Law Judge, by delegation of authority pursuant to 4 CSR 240-2.120(1), (November 30, 1995) and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 25th day of January, 1999.

