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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 18th
day of July, 1997.

In the Matter of the Application of Ronald Albright for Change of Electric Supplier.)))	<u>CASE NO. EO-97-314</u>
In the Matter of the Application of Jerry Lilley for Change of Electric Supplier.)))	<u>CASE NO. EO-97-315</u>
In the Matter of the Application of William R. and Joan Van Sant for Change of Electric Supplier.)))	<u>CASE NO. EO-97-316</u>
In the Matter of the Application of E. Lynn and Wanda Wilson for Change of Electric Supplier.)))	<u>CASE NO. EO-97-317</u>
In the Matter of the Application of Gil Edmiston for Change of Electric Supplier.)))	<u>CASE NO. EO-97-318</u>
In the Matter of the Application of Lazy Valley Resort for Change of Electric Supplier.)))	<u>CASE NO. EO-97-378</u>
In the Matter of the Application of Lilleys' Landing for Change of Electric Supplier.)))	<u>CASE NO. EO-97-428</u>

ORDER ESTABLISHING PROCEDURAL SCHEDULE

Seven change of supplier applications were filed with the Missouri Public Service Commission (Commission) during the period from February through the end of March, 1997. All of the structures for which a change of suppliers is sought are located on River Lane in Branson, Missouri. The structures are either the homes, vacation homes, or businesses of the various applicants. All of the applicants are seeking

authority for a change of electric supplier pursuant to Section 394.080.5 and Section 394.315.2, RSMo 1994. Applicants are seeking authority to switch electric service from White River Valley Co-op, Inc. (White River) to the Empire District Electric Company (Empire). The specific allegations vary from application to application. Both White River and Empire filed responses to Applicant's application.

After a review of the pleadings, the Commission is of the opinion that a procedural schedule should be established and a hearing date set. The *pro se* applicants will be permitted to present live direct testimony at the hearing¹. All other parties who wish to offer testimony at the hearing must prefile the direct testimony of the witnesses they seek to offer by 3:00 p.m. on August 11, 1997.

Because the Commission has received seven change of supplier applications involving properties along River Lane in Branson, the Commission has elected to consolidate the above-styled cases for purposes of hearing. The Commission is aware that the facts may vary from application to application; therefore, separate pleadings should be filed in each case. Each application will be given individual consideration by the Commission. Consolidation of the seven applications for purposes of hearing will help to conserve the resources of the parties and the Commission. The Commission will therefore set the hearing in this case for 10:00 a.m. on August 25, 1997. The hearing may continue on August 26, 1997 if necessary.

The Commission also finds that the following conditions should

¹Applicants may present the live testimony of any lay witnesses they wish to offer at the hearing. However, if Applicants wish to offer the testimony of an expert witness, the direct testimony of that witness should be prefiled in the same manner as the other prefiled testimony in this case, and must be filed by the same deadline for prefiled testimony.

be applied to the procedural schedule:

(1) The Commission will require the prefiling of testimony as defined in 4 CSR 240-2.130, except for any lay witnesses that the *pro se* applicants may offer. However, those applicants who are represented by an attorney must prefile their direct testimony. 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.

(2) Nothing in this order shall preclude a party from addressing, or having a reasonable opportunity to address, matters not previously disclosed and arising at the hearing.

(3) 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 administrative law judge, and opposing counsel.

IT IS THEREFORE ORDERED:

1. That all parties except *pro se* applicants shall prefile the direct testimony of any witnesses they wish to offer at the hearing by 3:00 p.m. on August 11, 1997. However, *pro se* applicants need not prefile the testimony of lay witnesses.

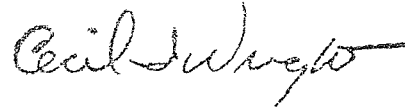
2. That a hearing in this matter is scheduled to commence at 10:00 a.m. on August 25, 1997, and will continue on August 26, 1997 as necessary. Said hearing shall be held in the Commission's hearing room on the 5th floor of the Harry S. Truman State Office Building, 301 W. High

Street, Jefferson City, Missouri.

3. Any person(s) 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.

4. That this order shall become effective on the date hereof.

BY THE COMMISSION

A handwritten signature in dark ink, appearing to read "Cecil I. Wright", with a stylized flourish at the end.

Cecil I. Wright
Executive Secretary

(S E A L)

Zobrist, Chm., Crumpton,
Lumpe, Murray and Drainer,
CC., Concur.

ALJ: Bensavage