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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)
George Hoesch for a Certificate of)
Convenience and Necessity Authorizing)
Him to Construct, Install, Own,)
Operate and Maintain a Sewer System)
for the Public, Located in an)
Unincorporated Area of the County of)
Gasconade, Missouri.)

CASE NO. SA-97-357

ORDER ADOPTING PROCEDURAL SCHEDULE

On May 30, 1997, the Staff of the Missouri Public Service Commission (Staff) filed a proposed procedural schedule. The proposal indicates that George Hoesch (Applicant), Gascony Association, Inc. (Intervenor), Staff and Office of the Public Counsel (Public Counsel) have agreed to recommend 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:

(1) 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.

(2) Testimony and schedules shall not be filed under seal and treated as proprietary or highly confidential unless a protective order has

first been established by the Commission. The party that considers information to be proprietary or highly confidential should request a protective order. Any testimony or schedule filed without a protective order first being established shall be considered public information.

(3) The Commission will schedule a prehearing conference in this case to allow the parties the opportunity to resolve procedural and substantive issues.

(4) The parties shall file a hearing memorandum setting out the issues to be heard and the witnesses to appear on each day of the hearing, definitions of essential terms, each party's position on the disputed issues, and the order of cross-examination. The hearing memorandum will set forth the issues that are to be heard and decided by the Commission. 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.

(5) The Commission wishes to emphasize the importance of filing the hearing memorandum on the date set by the Commission. Each party is directed to provide Staff with its position on each unresolved issue no later than two working days before the hearing memorandum is due. Staff is not responsible for including in the memorandum the positions of the parties that are not submitted when due.

(6) 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 administrative law judge at least five days prior to the date of the hearing.

(7) The Commission believes it is appropriate to limit the length of initial briefs to 30 pages and reply briefs to 15 pages. 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.

(8) 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 the following procedural schedule is adopted for this case:

Applicant files direct testimony	July 1, 1997
Staff, Public Counsel and Intervenor file rebuttal testimony	September 5, 1997
Applicant files surrebuttal; Intervenor, Staff and Public Counsel file cross-surrebuttal	September 26, 1997
Hearing Memorandum	October 10, 1997
Hearing	October 20-22, 1997 (10:00 a.m. first day)

The hearing will be held in the Commission's hearing room 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 the date hereof.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read "Cecil I. Wright", written in a cursive style.

**Cecil I. Wright
Executive Secretary**

(S E A L)

Gregory T. George, Administrative
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 6th day of June, 1997.