

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 17<sup>th</sup> day of August, 2022.

In the Matter of the Application of Missouri- )  
American Water Company's Request for )  
Authority to Implement General Rate )  
Increase for Water and Sewer Service )  
Provided in Missouri Service Areas )

**File No. WR-2022-0303**

**ORDER SETTING PROCEDURAL SCHEDULE**

Issue Date: August 17, 2022

Effective Date: August 17, 2022

On July 1, 2022, Missouri-American Water Company (Missouri-American) filed tariff sheets designed to implement a general rate increase for water and sewer services.

The Commission suspended those tariff sheets until May 28, 2023.

Missouri-American asked for a test year comprised of the twelve months ended June 30, 2022, as trued-up through December 31, 2022, with discrete adjustments through May 31, 2023. The Staff of the Commission (Staff) and the Office of Public Counsel (OPC) opposed Missouri-American's request for discrete adjustments.

In the alternative, OPC states that if the Commission grants Missouri-American's request, then all other parties should have the opportunity to not only oppose Missouri-American's discrete adjustments, but to also propose their own. Missouri-American did not object to OPC's request for alternative relief. Thus, the Commission will allow all parties to submit proposed discrete adjustments through May 31, 2023, as well as to oppose others' proposed discrete adjustments.

The parties filed a Joint Procedural Schedule on August 10, 2022. The Commission finds the schedule reasonable, and will set the schedule as the parties request.

**THE COMMISSION ORDERS THAT:**

1. The parties shall use a test year of the 12 months ending June 30, 2022, as trued-up through December 31, 2022. Additionally, the parties may submit discrete adjustments for the time period through May 31, 2023.

2. The following procedural schedule is adopted:

<b><u>Item</u></b>	<b><u>Date</u></b>
Missouri-American data through June 30	July 31, 2022
Discovery Conference	September 27, 2022
Discovery Conference	October 25, 2022
Revenue Requirement Direct Testimony by Non-Company Parties	November 22, 2022
Discovery Conference	November 29, 2022
Rev. Requirement Technical Conference	December 5, 2022
CCOS/Rate Design Direct Testimony by Non-Company Parties	December 16, 2022
Class Cost of Service/Rate Design Technical Conference	December 22, 2022
List of Issues (among parties only)	December 29, 2022
Discovery Conference	January 12, 2023
Revenue Requirement Rebuttal Testimony (all parties)	January 18, 2023
Start of Local Public Hearings	January 18, 2023

CCOS/Rate Design Rebuttal Testimony (all parties)	January 25, 2023
End of Local Public Hearings	January 31, 2023
True-up Data (provided to parties)	January 31, 2023
Surrebuttal Testimony – All Parties	February 8, 2023
Parties provide valuation of their positions to Staff for the Reconciliation	February 9, 2023
Last Day to Request Main Case Discovery	February 9, 2023
Reconciliation	February 10, 2023
List of Issues, List and Order of Witnesses, Order of Opening, and Order of Cross-Examination	February 14, 2023
Settlement Conference	February 15, 2023
Last Day to Object to Discovery	February 16, 2023
Discovery Conference	February 17, 2023
Statements of Positions	February 21, 2023
Evidentiary Hearing	Feb. 27 – March 10, 2023
True-up Direct	March 14, 2023
True-up Rebuttal	March 27, 2023
Last Day to Request True-up Case Discovery	March 28, 2023
Initial Briefs	March 31, 2023
True-up Hearing	April 4, 2023
Reply and True-up Briefs	April 14, 2023

3. The hearing shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. If you need an accommodation to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing. Further accommodations for an electronic hearing may be arranged closer to the hearing upon request of the parties or by the Commission on its own motion.

4. The parties shall comply with the following procedural requirements:

a. The parties shall provide all workpapers, in electronic format, whenever feasible, within two business days following the date on which the related testimony is filed. Workpapers containing confidential information shall be appropriately marked pursuant to Commission Rule 20 CSR 4240-2.135. If there are no workpapers associated with testimony, the party's attorney shall so notify the other parties within the time allowed for providing those workpapers.

b. 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.

c. 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. The parties shall not be required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.

d. With respect to Data Requests:

i. Beginning November 22, 2022, the response time for all data requests shall be ten (10) calendar days, with five (5) business days to object or to notify the requesting party that more than ten (10) calendar days will be needed to provide the requested information.

ii. Beginning January 18, 2023, 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.

iii. Data requests sent after 5:00 p.m. on Monday-Friday or on a weekend or state/federal holiday, will be considered served on the next business day.

iv. The Parties shall make an effort to not include in data request questions confidential information, and the Parties shall make an effort not to over-designate information as confidential. If confidential information must be included in data request questions, the confidential information should be appropriately designated as such pursuant to 20 CSR 4240-2.135. 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.

v. Any data requests issued to or by Staff shall be submitted and responded to in the Commission's Electronic Filing and Information System (EFIS) pursuant to 20 CSR 4240-2.090(2)(H). All data requests other than those issued to or by 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. If a party desires the response to a data 5 request that has been served on another party, the party desiring a copy of the response must request in writing a copy of the response from the party answering the data request, thereby providing the responding party the opportunity to object. Counsel may designate other personnel to be added to the service list for data requests, but 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 in EFIS, shall be served on counsel for the requesting party, unless waived by counsel, and on 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. In the case of responses to data requests Staff issues, Missouri-American shall also submit the responses to Staff data requests in EFIS, if feasible, or in electronic format on compact disc or by other means agreed to by Staff counsel, if infeasible.

vi. Discovery conferences will be held in Room 305 beginning at 10:00 a.m., at the Commission's office at the Governor's Office Building, 200 Madison Street, Jefferson City, Missouri, with remote connectivity via Webex to be provided upon any Party's request.

vii. Not less than three (3) 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. If the parties do not identify any discovery disagreements or concerns as described herein, the presiding officer may cancel the conference.

viii. Discovery conferences shall be on the record and shall be transcribed by a court reporter.

ix. 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.

x. Commission Rule 20 CSR 4240-2.090's requirement that a party must seek a telephone conference with the presiding officer before filing a discovery motion is waived.

5. The Commission also imposes the following procedural requirements:

a. For the Statements of Position, each party shall file a simple and concise statement summarizing its position on each disputed issue, including citations to pre-filed testimony supporting its position.

b. All parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel of record by electronic means and in electronic form, essentially concurrently with the filing of such testimony, exhibits, or pleadings where the information is available in electronic format (.PDF, .DOC, .WPD, .XLS, etc.). Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging.

c. Public documents filed in EFIS shall be considered properly served by serving the same on counsel of record for all other parties via e-mail. The parties agree confidential documents may be obtained from EFIS and so agree not to serve those documents via email.

6. Exhibit numbers are assigned as follows:

Missouri-American	1-99
Commission Staff	100-199
Office of the Public Counsel	200-299

Midwest Energy Consumers Group	300-349
Missouri Industrial Energy Consumers	350-399
City of St. Joseph	400-449
City of Riverside	450-499
The Empire District Electric Company	500-549
Public Water Supply Dist. #2	550-599
Sunnydale Properties	600-649
Triumph Foods	750-799

7. This order shall be effective when issued.



**BY THE COMMISSION**

*Morris L. Woodruff*

Morris L. Woodruff  
Secretary

Silvey, Chm., Rupp, Coleman, Holsman, and  
Kolkmeier CC., concur.

Pridgin, Regulatory Law Judge


**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 17<sup>th</sup> day of August, 2022.**



  
**Morris L. Woodruff**  
**Secretary**



**MISSOURI PUBLIC SERVICE COMMISSION**

**August 17, 2022**

**File/Case No. WR-2022-0303**

**Missouri Public Service Commission**

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**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

*Sincerely,*

  
**Morris L. Woodruff**  
**Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.