

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 6th day
of September, 2017.

In the Matter 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-2017-0285, et al.**

**ORDER SCHEDULING EVIDENTIARY HEARING AND SETTING
PROCEDURAL SCHEDULE**

Issue Date: September 6, 2017

Effective Date: September 6, 2017

On August 24, 2017, the Staff of the Missouri Public Service Commission (Staff), the Office of the Public Counsel, and the City of Joplin filed a *Non-Unanimous Joint Proposed Procedural Schedule*, which was filed with the agreement and on behalf of Midwest Energy Consumers Group, Missouri Industrial Energy Consumers, the City of Warrensburg, the City of Jefferson City, the City of St. Joseph, the Consumers Council of Missouri, Utility Workers Union of America Local 335, and the City of Riverside.

On August 24, 2017, Missouri-American Water Company (MAWC) submitted a separate proposed procedural schedule and, if necessary, a *Motion for Variance*. MAWC's proposal would require other parties to submit responses to MAWC's direct testimony in their direct testimony rather than rebuttal testimony. MAWC requests a variance from Commission Rule 4 CSR 240-2.130(7), which states that direct testimony shall include all testimony concerning a party's case-in-chief and rebuttal testimony shall include testimony that is responsive to other party's direct case. MAWC claims that since the company filed its direct testimony on June 30, 2017, "there is no reason that

non-Company parties should be unable to examine and respond to the Company's direct case over a five month period."¹ The Commission finds that in the context of this complex general rate case, MAWC's proposal would overly burden parties by forcing them to present their case-in-chief while also responding to the direct testimony of MAWC's fourteen witnesses.

The Commission will therefore deny MAWC's *Motion for a Variance* and establish a procedural schedule more consistent with the *Non-Unanimous Joint Proposed Procedural Schedule*.² The Commission will also establish discovery guidelines agreed to by the parties.

The Commission will address the scheduling of local public hearings in a subsequent order.

THE COMMISSION ORDERS THAT:

1. Missouri-American Water Company's *Motion for Variance* is denied.
2. The following procedural schedule is adopted:

Item	Date
MAWC Update	September 11, 2017
Discovery Conference	October 26, 2017
Local Public Hearings	TBD
All Non-CCOS/Rate Design Direct Testimony by Non-Company Parties	November 30, 2017
Discovery Conference	December 4, 2017

¹ EFIS Item No. 56; MAWC's Motion to Establish Procedural Schedule and, if Necessary, Motion for Variance, pg. 4, ¶10.

² Due to a Commission conflict, the parties' proposed True-Up Hearing date and the due date for reply briefs were modified.

Rev. Requirement Technical Conference	December 6-7, 2017
CCOS / Rate Design Direct Testimony By Non-Company Parties	December 13, 2017
CCOS / Rate Design Technical Conference	December 18, 2017
List of Issues (among Parties only)	December 22, 2017
Revenue Requirement Rebuttal Testimony (All Parties)	January 17, 2018
CCOS / Rate Design Rebuttal (All Parties)	January 24, 2018
True-Up Data Provided to All Parties	January 31, 2018
Surrebuttal Testimony – All Parties	February 9, 2018
Parties Provide Valuation of Positions to Staff for Reconciliation	February 9, 2018
Last Day to Request Main Case Discovery	February 13, 2018
Reconciliation	February 14, 2018
List of Issues, List and Order of Witnesses, Order of Opening, and Order of Cross	February 14, 2018
Settlement Conference	February 15-16, 2018
Last Day to Object to Discovery	February 16, 2018
Discovery Conference	February 20, 2018
Statement of Positions	February 20, 2018
Evidentiary Hearing	February 26- March 9, 2018
True-Up Direct	March 14, 2018
True-Up Rebuttal	March 23, 2018
Initial Briefs	March 26, 2018
Last Day to Request True-Up Case Discovery	March 26, 2018

True-Up Hearing	April 2, 2018
Reply and True-Up Briefs	April 9, 2018
Operation of Law Date	May 28, 2018

3. An evidentiary hearing shall be held beginning on Monday, February 26, 2018, starting at 9:30 a.m. at the Commission's office at the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, Room 310. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. Any person who needs specific accessibility accommodations may call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

4. The following response deadlines for data requests are adopted:

(A) Beginning October 14, 2017, the response time for all data requests shall be fourteen (14) calendar days, with ten (10) calendar days to object or to notify the requesting party that more than fourteen (14) calendar days will be needed to provide the requested information.

(B) After non-Company Revenue Requirement direct testimony is filed (November 30, 2017), the response time for data requests shall be ten (10) calendar days to provide the requested information, and five (5) business days to object or to notify the requesting party that more than ten (5) calendar days will be needed to provide the requested information.

(C) After Revenue Requirement rebuttal testimony is filed (January 17, 2018), 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.

5. The Following Discovery Conditions are adopted:

(A) 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.

(B) 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.

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

(D) 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.

(E) 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.

(F) 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 main hearings or the true-up hearings.

(G) 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 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.

(H) 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.

6. The true-up process and hearing shall be for the sole purpose of updating various known and measurable cost of service components to December 31, 2017. This will be accomplished by making specific (discreet) adjustments to the June 30, 2017 known and measurable revenue requirement calculation. Except for an extraordinary or unusual event and upon reasonable notice given to all parties, no party may revise or change methods or methodologies for true-up issues from those it presented in evidence during the evidentiary hearing scheduled February 26, 2018, through March 9, 2018.

7. The true-up hearing shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri on April 2, 2018, beginning at 8:30 a.m. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations 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.

8. This order shall be effective when issued.

BY THE COMMISSION



A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Hall, Chm., Stoll, Kenney, Rupp, and
Coleman, CC., concur.

Burton, Senior Regulatory Law Judge

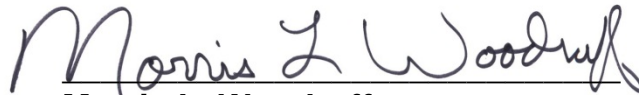
STATE OF MISSOURI

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 6th day of September 2017.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

September 6, 2017

File/Case No. WR-2017-0285

Missouri Public Service Commission

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel

Hampton Williams
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@ded.mo.gov

City of Jefferson City, Missouri

Mark W Comley
601 Monroe Street., Suite 301
Jefferson City, MO 65102-0537
comley@ncrpc.com

City of Joplin, Missouri

Stephanie S Bell
308 East High Street, Suite 301
Jefferson City, MO 65101
sbell@bbdlc.com

City of Joplin, Missouri

Marc H Ellinger
308 E. High Street, Ste. 301
Jefferson City, MO 65101
mellinger@blitzbardgett.com

City of Riverside, Missouri

Joseph P Bednar
304 E High St
Jefferson City, MO 65101
jbednar@spencerfane.com

City of St. Joseph, Missouri

William D Steinmeier
2031 Tower Drive
P.O. Box 104595
Jefferson City, MO 65110-4595
wds@wdspc.com

City of Warrensburg, Missouri

Leland B Curtis
130 S. Bemiston, Suite 200
St. Louis, MO 63105
lcurtis@chgolaw.com

City of Warrensburg, Missouri

Carl J Lumley
130 S. Bemiston, Ste. 200
St. Louis, MO 63105
clumley@lawfirmemail.com

Consumers Council of Missouri

John B Coffman
871 Tuxedo Blvd.
St. Louis, MO 63119-2044
john@johncoffman.net

Kansas City Power & Light Company

Robert Hack
1200 Main, 19th Floor
P.O. Box 418679
Kansas City, MO 64141-9679
rob.hack@kcpl.com

Kansas City Power & Light Company

Roger W Steiner
1200 Main Street, 19th Floor
P.O. Box 418679
Kansas City, MO 64105-9679
roger.steiner@kcpl.com

KCP&L Greater Missouri Operations Company

Robert Hack
1200 Main, 19th Floor
P.O. Box 418679
Kansas City, MO 64141-9679
rob.hack@kcpl.com

KCP&L Greater Missouri Operations Company

Roger W Steiner
1200 Main Street, 19th Floor
P.O. Box 418679
Kansas City, MO 64105-9679
roger.steiner@kcpl.com

Midwest Energy Consumers Group

David Woodsmall
308 E. High Street, Suite 204
Jefferson City, MO 65101
david.woodsmall@woodsmalllaw.com

Missouri Division of Energy

Brian T Bear
301 W. High St., Room 680
P.O. Box 1766
Jefferson City, MO 65102
bbear.deenergycases@ded.mo.gov

Missouri Industrial Energy Consumers (MIEC)

Edward F Downey
221 Bolivar Street, Suite 101
Jefferson City, MO 65101
efdowney@bryancave.com

Missouri Industrial Energy Consumers (MIEC)

Lewis Mills
221 Bolivar Street, Suite 101
Jefferson City, MO 65101-1574
lewis.mills@bryancave.com

Missouri Industrial Energy Consumers (MIEC)
Diana M Vuylsteke
211 N. Broadway, Suite 3600
St. Louis, MO 63102
dmvuylsteke@bryancave.com

Missouri Public Service Commission
Jacob Westen
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
jacob.westen@psc.mo.gov

Missouri-American Water Company
Dean L Cooper
312 East Capitol
P.O. Box 456
Jefferson City, MO 65102
dcooper@brydonlaw.com

Missouri-American Water Company
Timothy W Luft
727 Craig Road
St. Louis, MO 63141
Timothy.Luft@amwater.com

Public Water Supply District No. 1 of Andrew County
Larry W Dority
101 Madison, Suite 400
Jefferson City, MO 65101
lwdority@sprintmail.com

Public Water Supply District No. 1 of Andrew County
James M Fischer
101 Madison Street, Suite 400
Jefferson City, MO 65101
jfischerpc@aol.com

Public Water Supply District No. 2 of Andrew County
Larry W Dority
101 Madison, Suite 400
Jefferson City, MO 65101
lwdority@sprintmail.com

Public Water Supply District No. 2 of Andrew County
James M Fischer
101 Madison Street, Suite 400
Jefferson City, MO 65101
jfischerpc@aol.com

Triumph Foods, LLC
Aimee Davenport
1201 Walnut St., Suite 2900
Kansas City, MO 64106
aimee.davenport@stinson.com

Triumph Foods, LLC
Joshua Harden
1201 Walnut St., Suite 2900
Kansas City, MO 64106
Joshua.Harden@stinson.com

Union Electric Company
James B Lowery
111 South Ninth St., Suite 200
P.O. Box 918
Columbia, MO 65205-0918
lowery@smithlewis.com

Union Electric Company
Wendy Tatro
1901 Chouteau Avenue
St. Louis, MO 63103-6149
AmerenMOService@ameren.com

Utility Workers Union of America Local 335
Greg A Campbell
7730 Carondelet Ave., Suite 200
Clayton, MO 63105
gcampbell@hammondshinners.com

Utility Workers Union of America Local 335
Emily Perez
13205 Manchester Rd. Suite 210
St. Louis, MO 63131
eperez@hammondshinners.com

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

Sincerely,



Morris L. Woodruff
Secretary

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