

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of Osage Water Company           )  
Small Company Rate Increase.                 )

**Case No. WR-2009-0149 et al**

## JOINTLY PROPOSED PROCEDURAL SCHEDULE AND REQUEST FOR OTHER PROCEDURAL ITEMS

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff), on its own behalf and on behalf of the Office of the Public Counsel (OPC), and Osage Water Company (Osage), (collectively the parties), and submit to the Missouri Public Service Commission (Commission) this *Jointly Proposed Procedural Schedule and Request for Other Procedural Items* and state as follows:

1. On July 1, 2009, the Commission issued its *Order Suspending Tariff* which set a prehearing conference for July 13, 2009, to discuss a procedural schedule regarding the evidentiary hearing. While on the record, the parties were directed by the Commission to jointly prepare and file a proposed procedural schedule no later than July 16, 2009.

2. The above entities appeared at the July 13, 2009 prehearing conference and participated in the development of the jointly proposed procedural schedule for this case. During these discussions the parties agreed to submit a proposed procedural schedule to the Commission. This procedural schedule proposes a limited evidentiary hearing for August 6 and 7, 2009. The parties believe only one day of evidentiary hearing will be necessary, however, request reservation of a second day for evidentiary hearing in an abundance of caution.<sup>1</sup>

3. The parties submit that it is proper in this case for the Commission to evaluate testimony taken at an evidentiary hearing in connection with prehearing and post hearing briefs.

<sup>1</sup> Staff has also filed a request to include the issue of rate case expense, and requests reservation of a second day of evidentiary hearing in case this issue is allowed; however, that request has not been ruled on by the Commission as of the date of this filing.

rather than the use of pre-filed testimony. The parties have agreed that for the witnesses and testimony involved, setting aside two days for an evidentiary hearing would be the most prudent as outlined below.

4. The proposed procedural schedule is as follows:

<b>Prehearing Briefs (including Statements of Position)</b>	<b>July 29, 2009</b>
<b>Order of Witnesses and Cross-examination</b>	<b>July 31, 2009</b>
<b>Evidentiary Hearing</b>	<b>August 6-7, 2009</b>
<b>Post Hearing Briefs</b>	<b>August 20, 2009</b>

5. In order for Post Hearing Briefs to be filed by August 20, 2009, the parties approximate that transcripts of the evidentiary hearing will be available no later than August 13, 2009. Therefore, the parties request the Commission provide for expedited transcripts of the evidentiary hearing for filing on the proposed dates above.

6. The parties agree to shorten the response interval for Data Request (DRs) to five business days, and agree to shorten the objection interval to five business days to file objections.

7. The parties request the Commission waive rule 4 CSR 240-2.045(2) for the purposes of this proceeding and allow items filed electronically using the EFIS system to be deemed timely filed if received by midnight of the date on which the filing is due.

**WHEREFORE**, Staff, on behalf of the above-named parties, respectfully request that the Commission adopt the above dates as the procedural schedule for resolution of this case; and request that the Commission incorporate the above proposed conditions in an order setting a procedural schedule.

Respectfully submitted,

/s/ **Shelley Syler Brueggemann**

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### ***Certificate of Service***

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 16<sup>th</sup> day of July 2009.

/s/ **Shelley Syler Brueggemann**