

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

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.)

Case No. WR-2017-0285
Tariff Nos. SR-2017-0286, et al.

NON-UNANIMOUS JOINT PROPOSED PROCEDURAL SCHEDULE

COMES NOW the Staff of the Missouri Public Service Commission, the Office of the Public Counsel, and the City of Joplin, by and through counsel, and, filing with agreement on behalf of Midwest Energy Consumers Group (MECG), Missouri Industrial Energy Consumers (MIEC), 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, tender this *Non-unanimous Joint Proposed Procedural Schedule*, stating:

Discovery Conditions

1. The Parties agree to provide all workpapers, in electronic format, whenever feasible, within two business days following the date on which the related testimony is filed.
2. 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.
3. 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. Parties shall not be required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.

4. The Parties agree as follows with respect to Data Requests:

(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), 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), 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 Parties agree to the following provisions regarding discovery:

(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.

Proposed Procedural Schedule and Conditions

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 Parties will make a separate filing as soon as possible that recommends a date range for local public hearings.

8. The Parties recommend that the Commission adopt the following Procedural Schedule:

<u>Item</u>	<u>Date</u>
Company Update	September 15, 2017
Discovery Conference	October 26, 2017
Local Public Hearings	(Dates TBD)
All Non-CCOS / Rate Design Direct Testimony by Non-Company Parties	November 30, 2017
Discovery Conference	December 4, 2017
Rev. Requirement Technical Conference	December 6 – 7, 2017
CCOS / Rate Design Direct Testimony by Non-Company Parties	December 13, 2017
Class Cost of Service / 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 Testimony (all Parties)	January 24, 2018
True-up Data provided to Parties	January 31, 2018

Surrebuttal Testimony – All Parties	February 9, 2018
Parties provide valuation of their positions To Staff for the 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-Examination	February 14, 2018
Settlement Conference	February 15 – 16, 2018
Last Day to Object to Discovery	February 16, 2018
Discovery Conference	February 20, 2018
Statements of Positions	February 20, 2018
Evidentiary Hearing	February 26, 2018 – March 9, 2018 8:30 A.M.
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	March 30, 2018 8:30 A.M.
Reply and True-up Briefs	April 6, 2018
Operation of Law Date	May 28, 2018

WHEREFORE, the above-named Parties pray that the Commission will establish the Procedural Schedule as set out herein.

Respectfully Submitted,

/s/ Jacob T. Westen

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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 parties and or counsel of record on this 24th day of August, 2017.

/s/ Jacob T. Westen