

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

In the Matter of Union Electric Company d/b/a)
Ameren Missouri’s Tariffs to Decrease Its Revenues)
for Electric Service.)

Case No. ER-2019-0335

JOINTLY PROPOSED PROCEDURAL SCHEDULE AND PROCEDURES

COME NOW Union Electric Company d/b/a Ameren Missouri; Staff of the Missouri Public Service Commission (“Staff”); and Missouri Division of Energy,¹ and jointly propose the attached procedural schedule, which is based upon an agreed upon test year ended December 31, 2018, an update period ending June 30, 2019 and a true-up cutoff date of December 31, 2019, except that the cutoff is January 1, 2020, for certain items where appropriate (see note * to the proposed schedule). Additionally, the parties jointly propose the Commission impose the procedural requirements that follow in its order that sets the procedural schedule for this case:

- (a) All parties must comply with the requirements of Commission Rule 4 CSR 240-2.130 for prepared testimony, including the requirement that testimony be filed on line-numbered pages.
- (b) Although not all parties may agree upon how each issue should be described or on whether a listed issue is in fact a proper issue in this case, the parties shall agree upon and file a list of the issues to be heard, the witnesses to appear on each day of the hearing, the order in which they will be called, and the order of cross-examination for each witness. The list of issues should be detailed enough to inform the Commission of each issue that must be resolved. The Commission will view any issue not contained in this list of issues as uncontested and not requiring resolution by the Commission.
- (c) 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.
- (d) All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

¹ Although not signatories to this joint proposal, the Office of the Public Counsel, Renew Missouri, Natural Resources Defense Council, and Sierra Club have indicated they do not object hereto.

- (e) If testimony or documents are prefiled and served upon the parties before a hearing, a party need only provide a copy of the testimony or document to the court reporter for marking as an exhibit. If not prefiled and served upon the parties, then a party who has a document marked for use at the hearing shall have sufficient copies of the document to provide a copy not only to the court reporter, but also to each of the Commissioners, the presiding officer, and counsel for each other party.
- (f) All parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel 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.
- (g) Public documents filed in the Commission's Electronic Filing and Information System ("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.
- (h) 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 4 CSR 240-2.090(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. Counsel for each party shall receive electronically, via either EFIS notification or e-mail from the party serving a data request, an electronic copy of the text of the "description" of that data request contemporaneously with service of the data request. Regarding data requests issued via EFIS, if the description contains confidential information, or is voluminous, a hyperlink to the EFIS record of that data request shall be considered a sufficient copy. 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 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 Ameren Missouri data request responses, Ameren Missouri shall post its data request responses on its Caseworks Extranet site; however, in the case of responses to data requests Staff issues, Ameren Missouri 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.
- (i) The parties shall make an effort to not include confidential information in data requests. If confidential information must be included in a data request, the confidential

information shall be appropriately designated as such pursuant to Commission Rule 4 CSR 240-2.135.

- (j) Until revenue requirement direct testimony is filed on December 4, 2019, the response time for all data requests shall be twenty (20) calendar days, with ten (10) calendar days to object or notify the requesting party that more than twenty (20) calendar days will be needed to provide the requested information. After December 4, 2019, until rebuttal testimony is filed on January 21, 2020, the response time for data requests shall be fifteen (15) calendar days to provide the requested information and eight (8) calendar days to object or notify the requesting party that more than fifteen (15) calendar days will be needed to provide the requested information. After rebuttal testimony is filed on January 21, 2020, 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 notify the requesting party that more than five (5) business days will be needed to provide the requested information. If a data request has been responded to, a party's request for a copy of the response shall be timely responded to, considering that the underlying data request has already been responded to (except that, with the exception of responses to Staff, responses will not be needed for Ameren Missouri's data request responses posted on Ameren Missouri's Caseworks Extranet site).
- (k) For all data requests submitted to Ameren Missouri seeking information on a monthly basis, Ameren Missouri will provide updates to those data requests for which an objection to providing the data or monthly data is not lodged (or not sustained if challenged) on a quarterly basis. Ameren Missouri will provide responses to such data requests through June 30, 2019 on or before August 30, 2019 (in addition to the June 30, 2019 update of the entire rate case). Ameren Missouri will provide responses to such data requests through September 30, 2019 on or before October 31, 2019. Ameren Missouri will provide responses to such data requests through December 31, 2019 on or before January 27, 2019 (in addition to the true-up data). Staff and each party that has submitted data requests to Ameren Missouri seeking information on a monthly basis that requires updating will work with Ameren Missouri to develop a list for each quarterly update insofar as not all such data requests will need to be updated.
- (l) Workpapers prepared in the course of developing a witness' testimony² (including schedules) and exhibits shall not be filed with the Commission, but shall be submitted to each party within two (2) business days following the filing of the particular testimony, unless a party has indicated that it does not want to receive some or all of the workpapers. Workpapers containing confidential information shall be appropriately marked. 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.
- (m) Where workpapers or data request responses include models or spreadsheets or similar information originally in a commonly available format where inputs or parameters may

² The term "testimony" shall include a report filed by a party's witnesses in lieu of prepared testimony being filed separately for each witness, as provided in 4 CSR 240-2.130.

be changed to observe changes in inputs, 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. With the exception of workpapers provided to Staff, Ameren Missouri may provide workpapers by posting the same on its Caseworks Extranet site, with e-mail notification to counsel for the parties to be provided essentially concurrently with the posting of workpapers on the Extranet site. Ameren Missouri shall provide its workpapers to Staff in electronic format by e-mailing or by delivery of a compact disc or other electronic storage.

- (n) Discovery conferences will be held at the Commission's office at the Governor's Office Building, 200 Madison Street, Jefferson City, Missouri, in a room to be designated by the Commission. Each discovery conference will begin at 10:00 a.m.
- (o) Not less than two 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.
- (p) Discovery conferences shall be on the record and shall be transcribed by a court reporter.
- (q) 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.
- (r) Commission Rule 4 CSR 2.090's requirement that a party must seek a telephone conference with the presiding officer before filing a discovery motion is waived.
- (s) Rate case expense associated with Case No. ER-2019-0335 will be examined through the scheduled date for filing of reply briefs and adjustments may be proposed accordingly.

WHEREFORE, the undersigned parties jointly propose the attached Procedural Schedule and request that the Commission impose the procedural requirements above in its order that sets the procedural schedule for this case.

Respectfully submitted,

/s/ James B. Lowery

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to counsel of record this 1st day of August 2019.

/s/ Jeffrey A. Keevil

**AMEREN MISSOURI
CASE NO. ER-2019-0335
PROPOSED PROCEDURAL SCHEDULE**

EVENT	DATE
Case Filed	July 3, 2019
Updated information through June 30, 2019, to be provided by Ameren Missouri to all parties (not filed)	August 30, 2019
Discovery Conference	September 18, 2019
Discovery Conference	October 16, 2019
Discovery Conference	November 13, 2019
Direct Testimony ³ (Non-Ameren Missouri parties, revenue requirement. Response time for DRs changes to 15 calendar days and 8 calendar days to object or notify of the need for additional time to respond)	December 4, 2019
Direct Testimony (Non-Ameren Missouri parties, class cost of service and rate design)	December 18, 2019
Local Public Hearings (subject to Commission Order)	January 2020
Discovery Conference	January 8, 2020
Rebuttal Testimony (All parties. Response time to DRs changes to 5 business days and 3 business days to object or notify of the need for additional time to respond)	January 21, 2020
True-Up information to be provided by Ameren Missouri to all parties (not filed)*	January 22 through 27, 2020 (Ameren Missouri will use its best efforts to provide True-up information as early as possible, and in any event, no later than January 27)

³ This includes testimony proposing substantive changes to the costs or revenues to be included in the FAC, substantive changes in its operation (e.g., sharing percentage, number of adjustments), and testimony opposing its continuation.

Preliminary Issue List (not to be filed – to be provided to all parties)	January 31, 2020
Company and Staff Preliminary True-up Revenue Requirement (not to be filed – to be provided to all Parties) ⁴	January 31, 2020
Preliminary Reconciliation from Staff (not to be filed – To be provided to all Parties)	February 3, 2020
Settlement Conference (informal – not on the record)	February 3 – 4, 2020
Discovery Conference	February 5, 2020
Surrebuttal and True-up Testimony (all parties) (including final true-up accounting schedules which support a specific true-up revenue requirement) **	February 14, 2020
List of Issues, Order of Witnesses, Order of Cross Examination	February 18, 2020
Parties will provide valuation of their positions To Staff for the Final Reconciliation	February 18, 2020
Last Day to Request Discovery (issue a subpoena, notice a deposition, Issue data requests)	February 19, 2020
Statement of Position	February 24, 2020
Last day to take a deposition or File Motion to Compel	February 26, 2020
Final Reconciliation (to be filed)	February 27, 2020
Evidentiary Hearings	March 2 - 6, 9-13, 2020
Initial Post Hearing Brief (all parties)	March 30, 2020
Reply/True-Up Briefs	April 9, 2020
Operation of Law Date	May 30, 2020

⁴ To include true-up accounting schedules with supporting workpapers.

*** True-Up and True-Up Information to be Provided to the Parties**

The last date that Ameren Missouri must provide Staff and all other parties auditable accounting information related to all items to be trued-up. The parties do not anticipate the need for additional true-up testimony or a true-up hearing. The parties will take account of the Company's true-up data when filing surrebuttal testimony. Anticipated true-up items include changes to plant-in-service, depreciation reserve, all other rate base items, revenues (all categories), customer growth, net base energy costs (per FAC tariff), Midcontinent Independent System Operator ("MISO") transmission revenues and expenses, refined coal project revenues and expenses, pensions and other post-retirement employee benefit costs, payroll (including changes in pay rates, number of employees), other employee benefits, payroll taxes, storm costs, vegetation management/infrastructure inspection expenditures, renewable energy standard costs, insurance expense, depreciation expense, various amortizations, income taxes, property taxes, capital structure, capital costs and other significant⁵ items that must be considered in order to maintain a proper relationship of revenues, expenses and rate base. No party is precluded from proposing an additional item for true-up that causes a significant increase or decrease in Ameren Missouri's cost of service, i.e., in its revenues, expenses or investment, or proposing that any item(s) listed above not be trued-up. Certain items that occur on January 1, 2020 shall be trued-up, including changes in contractual commodity coal costs and coal transportation costs, wage and salary increases, and MISO Schedule 26A transmission charges, as long as a proper relationship of all other revenues, expenses and rate base is maintained. Each true-up item must be known and measurable, recorded in Ameren Missouri's accounting system, and supported by documentation (including but not limited to invoices, inspections, general ledgers, operating reports, etc.) that demonstrate it has occurred; and, if the true-up item is rate based capital investment, that the investment is fully operational and used for service.

** No party shall revise or change that party's methods or methodologies for true-up issues.

⁵ Significant in this context will be measured by the smallest adjustment made during the true-up audit from the list of items indicated in the paragraph which further explains the true-up and true-up information to be provided to the parties.