

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

Cyndi R. Nealon,)	
Complainant,)	
Vs.)	<u>File No. WC-2023-0273</u>
)	
Missouri-American Water Company,)	
Respondent)	

JOINT PROPOSED PROCEDURAL SCHEDULE

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through counsel, and tenders the following Joint Proposed Procedural Schedule:

Direct Testimony (optional for Complainant)	September 7, 2023
Rebuttal Testimony (Optional)	September 28, 2023
List of Issues, Order of Witnesses, Order Of Cross-Examination, Order of Opening Statements, List of Exhibits ¹	October 24, 2023
Evidentiary Hearing	November 8, 2023 ²

Staff has communicated with all parties of record. The foregoing is based upon the responses Staff has received. The parties suggest that the procedural order include the following procedural provisions:

(A) For written testimony, all parties must comply with the requirements of Commission Rule 20 CSR 4240-2.130 for prepared testimony, including the requirement that testimony be filed on line-numbered pages.

¹ Staff shall consult with all parties and file this pleading.

² Conflicts submitted by all parties to Staff are: July 12-14, 20-24, 26-31; August 1-15, 23; September 1, 6, 8; October 2-6; weeks of October 23 and October 30.

(B) Ms. Nealon may offer her complaint as a pre-filed testimony exhibit without the line-numbering requirement of the previous paragraph.

(C) Ms. Nealon may present live additional direct testimony herself or via other witnesses during the evidentiary hearing. Missouri-American Water Company may present live additional rebuttal testimony during the evidentiary hearing.

(D) For any data requests propounded on or after September 28, 2023, responses to data requests shall be made within five calendar days and objections or notice of need for more time respond to data requests shall be made with two business days.

(E) 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 Commission will view any issue not contained in this list of issues as not requiring resolution by the Commission.

(F) All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 20 CSR 4240-2.080.

(G) If part of the testimony or documents are pre-filed and served upon the parties before a hearing, a party need only provide a copy of the testimony or document to the court reporter to be marked as an exhibit at the hearing. If not pre-filed 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 to the court reporter, each Commissioner, the presiding officer, and to each other party.

(H) Exhibit numbers are assigned in the following manner:

Michelle Nealon 1-99
Missouri-American Water Company 100-199
Commission Staff 200-299

(I) Each party shall prepare a list of its pre-filed, pre-marked exhibits and file a copy of that list in the EFIS file. Exhibits that may be offered during cross examination, but which have not been pre-filed, need not be included on the list. However, when those documents are offered during the hearing, they will be assigned a number from that party's number group

WHEREFORE, Staff respectfully submits the foregoing Proposed Joint Procedural Schedule in compliance with the Commission's orders.

Respectfully Submitted,

/s/ Paul T. Graham #30416

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CERTIFICATE OF SERVICE

The undersigned by his signature below certifies that the foregoing pleading was served upon all persons who have entered an appearance of record in this matter on this June 30, 2023, by electronic filing in EFIS.

/s/ Paul T. Graham