

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its Office in Jefferson City, Missouri on the 20th day of July, 2023.

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

ORDER SETTING PROCEDURAL SCHEDULE

Issue Date: July 20, 2023

Effective Date: July 20, 2023

On June 16, 2023, the Commission issued an order directing the parties to file a proposed procedural schedule no later than July 1, 2023. On June 30, 2023, the parties filed a proposed procedural schedule. In addition to scheduling items, the parties proposed certain procedures as well. After reviewing the proposed procedural schedule, the Commission concludes that the schedule proposed by Staff is reasonable and should be adopted, and that the procedures should be adopted with the changes shown.

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is established:

September 7, 2023	Direct Testimony (optional for Complainant)
September 28, 2023	Rebuttal Testimony (optional)

October 24, 2023

List of Issues, Order of Witnesses, Order of Cross-Examination, Order of Opening Statements, List of Exhibits¹

November 8, 2023

Evidentiary Hearing

2. The Commission shall hold an evidentiary hearing on November 8, 2023, beginning at 9:00 a.m.

3. The hearing shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. 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.

4. The parties shall comply with the following procedures:

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

(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,

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

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. Staff shall coordinate and file the list of issues on behalf of the parties.

(F) All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 20 CSR 4240-2.080. 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. In lieu of briefs, upon request, the parties may make closing statements.

(G) If testimony or documents are prefiled and served upon the parties before a hearing, a party need only provide an emailed copy of the testimony or document to exhibits@psc.mo.gov or provide one copy of the testimony or document to the court reporter to be marked as an exhibit at the hearing. If not prefiled and served upon the parties, then a party who has a document marked for use at the hearing shall provide a copy to the court reporter, all counsel, the presiding officer and the Commissioners. Those copies may be electronic.

5. The hearing exhibit numbers are assigned as follows:

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

6. 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.

7. Exhibits shall be marked as set forth in Commission Rule 20 CSR 4240-2.135(10)(C). For example, the public version of exhibit two would be marked

as Exhibit 2, whereas the confidential version of exhibit two would be marked as Exhibit 2C.

8. The Commission shall establish a briefing schedule after transcripts of the evidentiary hearing are made available.

9. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Nancy Dippell". The signature is written in a cursive, flowing style.

Nancy Dippell
Secretary

Rupp, Chm., Coleman, Holsman, Kolkmeier
and Hahn CC., concur.

Keeling, 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 20th day of July, 2023.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

July 20, 2023

File/Case No. WC-2023-0273

**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
Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@opc.mo.gov

Cyndi R. Nealon
Cyndi R Nealon
3416 Haas Ave.
St. Louis, MO 63044
cfit_n@yahoo.com

**Missouri Public Service
Commission**
Paul Graham
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
Paul.Graham@psc.mo.gov

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

**Missouri-American Water
Company**
Rachel Niemeier
727 Craig Rd.
St. Louis, MO 63141
rachel.niemeier@amwater.com

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

Sincerely,



**Nancy Dippell
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.