

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

Noranda Aluminum, Inc., et al., Complainants, v.)
Union Electric Company d/b/a Ameren Missouri,) Case No. EC-2014-0224
Respondent.)

JOINTLY PROPOSED PROCEDURAL SCHEDULE AND PROCEDURES

Come now Complainants, Consumers Counsel of Missouri (“CCM”), Missouri Industrial Energy Consumers (“MIEC”), Missouri Retailers Association (“MRA”), the City of O’Fallon, the City of Ballwin, and the Office of Public Counsel (“OPC”) (collectively the “Parties”), and hereby file their proposed procedural schedule.

1. The Commission, in its March 28, 2014 prehearing conference and *Notice of Rulings Made at Conference*, ordered the Parties to file a proposed procedural schedule on or before April 1, 2014.

2. As a result of discussions among the Parties, the Parties propose the following procedural schedule:

<u>Date:</u>	<u>Case Event:</u>
April 21-30 and May 1-8, 2014	Local Public Hearings (16 Total Combined With EC-2014-0223)
April 25, 2014	Rebuttal Testimony
May 16, 2014	Surrebuttal / Cross-Surrebuttal Testimony
May 20, 2014	List of Issues, Order of Witnesses, etc
May 22, 2014	Position Statements
May 28-30, 2014	Evidentiary Hearing
June 20, 2014	Initial Briefs
June 30, 2014	Reply Briefs

July 30, 2014

Report and Order

August 13, 2014

Effective Date

3. The Parties agree to the following times to object to Data Requests, advising of need for additional time to response, and answer response times: 10 business days for response time to Data Requests, 5 business days to object and/or notify respecting the need for additional time.

4. If a Data Request has been responded to, a copy of such response shall be provided to another requesting party in the case, unless the responding party objects to providing the response to such requesting party. All parties in the case shall submit their responses to Staff-issued Data Requests in the Commission's Electronic Filing Information System ("EFIS"). If submission of responses to Staff-issued Data Request in EFIS is infeasible, then the parties shall submit to Staff responses in electronic format, on compact disc, or by other means agreed to by Staff counsel. If a Data Request has not yet been responded to, a copy of such response shall be provided to a requesting party in the case within the response time set for such underlying Data Request, unless the responding party objects to providing the response to such requesting party.

5. All parties in the case shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel of record by electronic means and in electronic form, essentially contemporaneously with the filing of such testimony, exhibits, or pleadings where the information is available in electronic format (.PDF, .DOC, .WPD, or .XLS). No party is required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.

6. The parties in the case shall make an effort to not include highly confidential or proprietary information in Data Request questions. If highly confidential or proprietary

information must be included in Data Request questions, the highly confidential or proprietary information shall be appropriately designated as such pursuant to Commission Rule 4 CSR 240-2.135.

7. Each party serving a Data Request on another party shall provide an electronic copy of the text of the “description” of that Data Request to counsel for all other parties contemporaneously with service of the Data Request. Regarding Staff-issued Data Requests, if the description contains highly confidential or proprietary information, or is voluminous, a hyperlink to the EFIS record of that Data Request shall be considered a sufficient copy. If a party desires a copy of the response to a Data Request that has been served on another party, the party desiring such copy shall request a copy of the response from the responding party. Thus, if a party desires a copy of a response by another party to a Staff-issued Data Request, the party desiring the copy should ask the party to which the request was issued, not the Staff, for a copy of the Data Request response unless there are appropriate reasons to direct the discovery to the party originally requesting the material. Data Requests, objections to Data Requests, and notifications respecting the need for additional time to respond to Data Requests shall be sent by e-mail to counsel for all parties. 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. Data Request responses will be served on counsel for the requesting party 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.

8. Workpapers that were prepared in the course of developing a witness’ direct, rebuttal, surrebuttal, or cross-surrebuttal testimony shall not be filed with the Commission, but,

without request, shall be submitted to each party within one calendar day after the particular testimony is filed. Workpapers, or a complete set of workpapers, need not be submitted to a party that has indicated it does not want to receive workpapers, or a complete set of workpapers. If there are no workpapers associated with testimony, the party's attorney shall so notify the other parties within the time allowed for providing workpapers. Workpapers containing highly confidential or proprietary information shall be appropriately marked.

9. Where workpapers or Data Request responses include models, spreadsheets, or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs or outputs, the party providing the workpapers or responses shall provide such information in original format with formulas intact, if available.

10. Continental Cement, River Cement, Wal-Mart Stores East, LP, and Sam's East, Inc., are not opposed to this proposed procedural schedule.

11. Staff has reviewed a draft of the proposed procedural schedule and has already filed concurrence with the Commission.

WHEREFORE, in response to the Commission's March 28, 2014, order, the Parties request that the Commission adopt the proposed procedural schedule.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been emailed this 1st day of April, 2014, to all parties of record in this case.

/s/ Diana M. Vuylsteke