

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

William L. Gehrs, Jr.,	)	
	)	
Complainant	)	
	)	
vs.	)	File No. EC-2018-0033
	)	
The Empire District Electric Company	)	
	)	
Respondent.	)	

## ORDER REGARDING DISCOVERY FILINGS

Issue Date: August 17, 2017

Effective Date: August 17, 2017

William L. Gehrs, Jr., filed a request for discovery.<sup>1</sup> The request for discovery cites

Commission regulation 4 CSR 240-2.090:

Discovery may be obtained by the same means and under the same conditions as in civil actions in the circuit court. Sanctions for abuse of the discovery process or failure to comply with commission orders regarding discovery shall be the same as those provided for in the rules of civil procedure. [<sup>2</sup>]

The means and conditions for obtaining discovery in civil actions in the circuit court require serving discovery requests on other parties, filing a certificate of service, and not filing the discovery requests:

Service. Copies of the interrogatories shall be served on all parties not in default. . . . In addition to the information normally in a certificate of service, the certificate of service shall also state:

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<sup>1</sup> Electronic Filing Information System ("EFIS") No. 5 (August 14, 2017) *Discovery Request in Accordance with 4CSR 240-2.090*.

<sup>2</sup> 4 CSR 240-2.090(1).

(A) The name of each party who is to respond to the interrogatories;

(B) The number of the set of interrogatories,

(C) The format of the electronic copy and the medium used to transmit the electronic copy to the responding party.

At the time of service, a certificate of service, but not the [discovery requests], shall be filed [<sup>3</sup>]

The Commission will retain the requests for discovery to give context to this order, but will not accept any other discovery requests for filing, except in the context of enforcing discovery.

**THE COMMISSION ORDERS THAT:**

1. The Commission will retain the requests for discovery and will reject any other discovery requests, except in the context of enforcing discovery.
2. This order shall be effective when issued.

**BY THE COMMISSION**



A handwritten signature in dark ink, reading "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Daniel Jordan, Senior Regulatory Law Judge,  
by delegation of authority pursuant  
to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on this 17<sup>th</sup> day of August, 2017.

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<sup>3</sup> Subsection (b)(3) of Missouri Supreme Court Rules 57.01 and 58.01.

**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 17<sup>th</sup> day of August 2017.**



  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**August 17, 2017**

**File/Case No. EC-2018-0033**

**Missouri Public Service  
Commission**

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**William Lawrence Gehrs, Jr.**

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

***Sincerely,***



**Morris L. Woodruff  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.