

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

In the Matter of the application of)	
Nickie Hertzog for a Change of Electric)	<u>File No. EO-2012-0343</u>
Supplier)	

ORDER DIRECTING FILING

Issue Date: November 20, 2012

Effective Date: November 20, 2012

On October 15, 2012¹, the parties filed a Joint Proposed Procedural Schedule. The Commission issued an order adopting it the following day. That schedule stated that Ms. Hertzog must file her direct testimony by November 16.

Ms. Hertzog failed to file her direct testimony as required by Commission order. However, the Commission has been made aware that Ms. Hertzog has exchanged e-mails with the Commission's Staff in an effort to make her position known.

The Commission will refer Ms. Hertzog to Commission Rule 4 CSR 240-2.130, the Commission's rule on evidence. That rule requires, among other things, direct testimony to be accompanied by an affidavit providing the witness's oath.

The testimony does not have to be extensive. But Ms. Hertzog must explain what she wants the Commission to do and why it would be proper for the Commission to do so. The other parties will then have a chance to respond with their own testimony.

The Commission will again order Ms. Hertzog to file direct testimony as explained above, and to comply with the above-cited rule.

¹ Calendar dates refer to 2012.

THE COMMISSION ORDERS THAT:

1. Nickie Hertzog shall file direct testimony as ordered above no later than November 30, 2012.
2. This order shall become effective upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Ronald D. Pridgin, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 20th day of November, 2012.