

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

In the Matter of Union Electric Company d/b/a)
Ameren Missouri’s Filing to Implement Regulatory) **File No. EO-2012-0142**
Changes in Furtherance of Energy Efficiency)
as Allowed by MEEIA)

**ORDER EXTENDING TIME FOR DEPARTMENT OF NATURAL
RESOURCES TO FILE REBUTTAL TESTIMONY**

Issue Date: April 12, 2012

Effective Date: April 12, 2012

On April 12, 2012, the Missouri Department of Natural Resources (MDNR) filed a motion asking the Commission to extend the time for it to file rebuttal testimony. The procedural schedule for this case requires such testimony to be filed by April 13. MDNR explains that its witness has suffered a death in his family and has had to travel for the funeral. As a result, he will be unable to complete his rebuttal testimony until April 20.

MDNR indicates it has discussed its request for more time to file its witness’ testimony with the other parties and proposes that the date for all parties to file rebuttal testimony be moved to April 20, with other adjustments to the procedural schedule to follow. MDNR represents that Staff, Public Counsel, Natural Resources Defense Council, Renew Missouri, and Sierra Club support the proposed revisions to the procedural schedule. In addition, Laclede Gas does not object to the proposed revisions. MDNR represents that Ameren Missouri would agree to an additional week for MDNR to file its rebuttal testimony, but would not support an extension for the other parties, and would not support any additional changes to the procedural schedule. Barnes Jewish Hospital agrees to either option.

The Commission offers its condolences to MDNR's witness for his loss and will allow MDNR the additional time it needs to submit its rebuttal testimony. However, there is no need to delay the filing of rebuttal testimony by the other parties as such a delay would necessitate additional revisions in the established procedural schedule and would disrupt preparations for the evidentiary hearing.

Despite the delay, MDNR still must offer proper rebuttal testimony, which, by Commission regulation, must be responsive to direct testimony.¹ The Commission will not allow MDNR to respond to the other parties' rebuttal testimony in its rebuttal testimony.

THE COMMISSION ORDERS THAT:

1. The procedural schedule is modified to allow Missouri Department of Natural Resources to file its rebuttal testimony no later than April 20, 2012. The procedural schedule is not modified in any other regard.
2. This order shall become effective immediately upon issuance.

(S E A L)

BY THE COMMISSION



Steven C. Reed
Secretary

Morris L. Woodruff, Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 12th day of April, 2012.

¹ Commission Rule 4 CSR 240-2.130(7)(B).