

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 MODIFYING PROCEDURAL SCHEDULE

Issue Date: November 21, 2014

Effective Date: November 21, 2014

On November 20, 2014, Union Electric Company, d/b/a Ameren Missouri filed a motion asking the Commission to revise the established procedural schedule. The current schedule requires the parties to file surrebuttal testimony on November 26, and to file an issues list and proposed order of witnesses and cross-examination by December 15. Ameren Missouri asked to extend the date to file surrebuttal testimony to December 11, and to extend the date to file an issues list to December 17. Ameren Missouri did not propose to change the hearing dates from the current schedule. Because the date for filing surrebuttal testimony is fast approaching, Ameren Missouri asked for expedited consideration of its motion.

In response to Ameren Missouri's motion, the Commission shortened the time allowed for responding to that motion to November 21, at 1:00 p.m. Public Counsel filed a timely response in which it opposes Ameren Missouri's motion.

Ameren Missouri's motion requests more time to prepare its surrebuttal testimony in response to what it describes as unexpectedly extensive rebuttal testimony filed by Public Counsel. Ameren Missouri also seeks more time to conduct discovery and to possibly hire an outside expert to prepare and present surrebuttal testimony. The motion represents that

Staff and the Missouri Division of Energy do not object to the proposed modifications to the procedural schedule.

Public Counsel objects to the proposal to modify the procedural schedule by pointing out that the existing procedural schedule is the schedule that was proposed by Ameren Missouri and Staff. Public Counsel stands ready to comply with that schedule and believes that Ameren Missouri should be prepared to comply as well. Significantly, Public Counsel complains that Ameren Missouri filed its motion requesting an extension to December 11 before Public Counsel had an opportunity to “discuss any other possible extension.” Public Counsel indicates it is “forced to object to the Company’s request for a too lengthy extension.” That statement implies that a shorter extension might be appropriate.

The Commission established the procedural schedule that Ameren Missouri requested, and Public Counsel’s filing of extensive rebuttal testimony has not made that schedule unreasonable. The Commission will not grant the full extension requested by Ameren Missouri. However, the established procedural schedule is a tool to allow the Commission to properly consider the evidence presented by the parties. Rigid adherence to that schedule is not appropriate if doing so would unfairly limit the parties’ ability to present their evidence to the Commission.

The existing procedural schedule allows only nine days for preparation and filing of surrebuttal testimony after rebuttal testimony was filed on November 17. A one week extension of that filing date is appropriate and will be ordered by the Commission.

THE COMMISSION ORDERS THAT:

1. The procedural schedule is modified to provide as follows:

Surrebuttal Testimony

December 3, 2014

List of Issues, Order of Witnesses, and Order of Cross	December 15, 2014
Position Statements and Pre-Trial Motions	December 30, 2014
Evidentiary Hearing	January 6-7, 2015
Initial Briefs	January 30, 2015
Reply Briefs	February 11, 2015

2. This order shall be effective when issued.

BY THE COMMISSION



Morris L. Woodruff

Morris L. Woodruff
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 21st day of November, 2014.