

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Kansas City Power & Light)
Company's Filing for Approval of Demand-Side) **File No. EO-2014-0095**
Programs and for Authority to Establish A)
Demand-Side Programs Investment Mechanism)

ORDER ADOPTING PROCEDURAL SCHEDULE

Issue Date: February 4, 2014

Effective Date: February 4, 2014

On February 3, 2014, the Staff of the Commission, acting on behalf of itself and Office of the Public Counsel, Kansas City Power & Light Company, Empire District Electric Company, Union Electric Company d/b/a Ameren Missouri, Missouri Department of Economic Development – Division of Energy, Sierra Club, Earth Island Institute d/b/a Renew Missouri, Brightergy LLC, Natural Resources Defense Council, MC Power Companies, Missouri Industrial Energy Consumers, and Midwest Energy Consumers jointly filed a proposed procedural schedule that has been agreed upon by all parties. The parties have also agreed upon certain procedural provisions that the Commission will incorporate into this order.

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is established:

Rebuttal Testimony	-	February 28, 2014
Data request response times change To five calendar days to respond and Three calendar days to object	-	February 28, 2014
Early Settlement Conference	-	March 5, 2014
Second Settlement Conference	-	March 13, 2014
Surrebuttal Testimony	-	March 17, 2014

- List of Issues** - **March 19, 2014**
- Statements of Position** - **March 20, 2014**
- Hearing (direct and cross-examination Of Mark Oligschlaeger only)** - **March 21, 2014, beginning at 8:30 a.m.**
- Hearing** - **March 24-25, 2014, beginning both days at 8:30 a.m.**
- Initial Post-Hearing Briefs** - **April 3, 2014**
- Reply Post-Hearing Briefs** - **April 9, 2014**

The settlement conferences are informal and will not be on the record. The presiding officer will not participate unless the parties request his presence. The parties may decide among themselves where and when those conferences will be held.

2. The parties shall comply with the following procedural requirements:

- (A) Testimony shall be prefiled as defined in Commission Rule 4 CSR 240-2.130. All parties must comply with this rule, including the requirement that testimony be filed on line-numbered pages.
- (B) The parties shall agree upon and Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing, the order in which they will be called, and the order of cross-examination for each witness. The list of issues should be detailed enough to inform the Commission of each issue that must be resolved. The Commission will view any issue not contained in this list of issues as uncontested and not requiring resolution by the Commission.

- (C) Each party shall file a simple and concise statement summarizing its position on each disputed issue.
- (D) All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.
- (E) All parties shall bring enough copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has not been prefiled, the party offering it must bring, in addition to the copy for the court reporter, a copy for each Commissioner, the Presiding Judge, and all counsel.
- (F) All parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel by electronic means and in electronic form, essentially concurrently with the filing of such testimony, exhibits, or pleadings where the information is available in electronic format (.PDF, .DOC, .WPD, .XLS, etc.). Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.
- (G) All parties 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 information must be appropriately designated as such pursuant to 4 CSR 240-2.135.

- (H) 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 the response to a data request that has been served on another party, the party desiring a copy of the response must request a copy of the response from the party answering the data request. 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 the other 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. If responding to a Staff data request, the responding party shall record the response in EFIS and send an e-mail notification to Staff Counsel that such party has filed the response. For all other parties, data request responses shall be served on counsel for the requesting party, unless waived by counsel, 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.
- (I) The initial response time for all data requests shall be ten calendar days to provide the requested information and five calendar days to object or notify

that more than ten calendar days is needed to provide the requested information. The response time for all data requests commencing with data requests served after the due date for rebuttal testimony (February 28, 2014) is five calendar days to provide the requested information, and three calendar days to object or notify that more than five calendar days will be needed to provide the requested information. If a data request has been responded to, a party's request for a copy of the response shall be timely responded to, considering that a response has already been made to the underlying data request.

- (J) Workpapers prepared in the course of developing a witness' testimony (including schedules) and exhibits shall not be filed with the Commission, but shall be submitted to each party within two business days after the particular testimony is filed. Workpapers need not be submitted to a party that has indicated it does not want to receive some or all of the workpapers. Workpapers containing highly confidential or proprietary information shall be appropriately marked. If there are no workpapers associated with testimony, the party's attorney shall so notify the other parties within the time allowed for providing those workpapers.
- (K) Where workpapers or data request responses include models or spreadsheets or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs, if available in that original format, the party providing the workpaper or

response shall provide this type of information in that original format with formulas intact.

3. The hearing shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

4. This order shall become effective upon issuance.



BY THE COMMISSION

A handwritten signature in cursive script that reads "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 4th day of February, 2014.