

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Union Electric)
Company, d/b/a Ameren Missouri for Permission and)
Approval and a Certificate of Public Convenience and)
Necessity Authorizing it to Construct, Install, Own,) **File No. EA-2012-0281**
Operate, Maintain, and Otherwise Control and)
Manage a Utility Waste Landfill and Related Facilities)
At its Labadie Energy Center.)

ORDER ADOPTING PROCEDURAL SCHEDULE

Issue Date: March 19, 2013

Effective Date: March 19, 2013

On March 18, 2013, Union Electric Company d/b/a Ameren Missouri, the Staff of the Commission, the Office of the Public Counsel, and the Labadie Environmental Organization and Sierra Club 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:

Ameren Missouri to file Direct Testimony	-	April 26, 2013
Non-Ameren Missouri parties to file Rebuttal Testimony	-	May 31, 2013
Local Public Hearing in Franklin County (location and date to be established by subsequent order)	-	Week of June 24, 2013
Ameren Missouri to file Surrebuttal Testimony, All other parties to file Cross-Surrebuttal Testimony	-	June 28, 2013

List of Issues, Order of Witnesses, Order of Cross-Examination, Order of Opening	- August 16, 2013
Statements of Position	- September 3, 2013
Hearing	- September 23, 24, and 25, 2013, beginning each day at 8:30 a.m.
Initial Post-Hearing Briefs	- October 22, 2013
Reply Post-Hearing Briefs	- November 12, 2013

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 an adequate number of 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) 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. 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. In the case of Ameren Missouri data request responses, Ameren Missouri shall post its data request responses on its Case Works Extranet site. However, in the case of responses to data requests Staff issues to it, Ameren Missouri shall also submit the response to Staff data requests in EFIS, if feasible, or if submission of responses to Staff data request in EFIS is infeasible, then Ameren Missouri shall submit to Staff its response in electronic format or compact disc or by other means agreed to by Staff counsel.

- (H) The response time for all data requests commencing with data requests served after the due date for rebuttal testimony (May 31, 2013) is ten calendar days to provide the requested information, and five business days to object or notify that more than ten 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 the underlying data request has already been responded to (except that,

with exception of responses to Staff, responses shall not be needed for data request responses posted on Ameren Missouri's Caseworks Extranet site).

- (I) 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.
- (J) 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. Except for workpapers provided to Staff, Ameren Missouri may provide workpapers by posting them on its Caseworks Extranet site, with e-mail notification to counsel for the parties to be provided essentially concurrently with the posting of workpapers on the Caseworks Extranet site. Ameren Missouri shall provide its work papers to Staff in electronic format by e-mailing or by delivery of a compact disk or other electronic storage media.
- (K) Documents filed in EFIS shall be considered properly service by serving the same on counsel of record for all other parties via e-mail.

(L) All data requests, subpoenas, or other discovery requests or notices shall be issued no later than August 9, 2013.

(M) All motions to compel a response to any discovery request shall be filed no later than August 23, 2013.

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



Shelley Brueggemann
Acting 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 19th day of March, 2013.