

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

In the Matter of the Application of Transource Missouri,)
L.L.C. for a Certificate of Convenience and Necessity)
Authorizing it to Construct, Finance, Own, Operate,) **File No. EA-2013-0098**
and Maintain the Iatan-Nashua and Sibley-Nebraska)
City Electric Transmission Projects)

In the Matter of the Application of Kansas City Power &)
Light Company and KCP&L Greater Missouri Operations)
Company for Approval to Transfer Certain Transmission) **File No. EO-2012-0367**
Property to Transource Missouri, L.L.C. and for other)
Related Determinations)

**JOINTLY PROPOSED PROCEDURAL SCHEDULE,
PROCEDURES, AND MOTION TO CONSOLIDATE**

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through the Staff Counsel’s Office, on behalf of the “Parties” in File Nos. EA-2013-0098 and EO-2012-0367, i.e., the Staff, the Office of the Public Counsel (“OPC”), Missouri Industrial Energy Consumers (“MIEC”),¹ and the Applicants Transource Missouri, LLC (“Transource Missouri”),² Kansas City Power & Light Company (“KCP&L”), and KCP&L Greater Missouri Operations Company (“GMO”),³ and files this *Jointly Proposed Procedural Schedule, Procedures, And Motion To Consolidate*.

1. In a September 5, 2012 Order Directing Notice, Setting Intervention Deadline, Directing Filing And Scheduling A Conference (“Order”), the Missouri Public Service Commission (“Commission”) scheduled a joint procedural conference for October 15, 2012 at

¹ MIEC is comprised of Bayer CropScience, Boehringer-Ingelheim, Corn Products, and Ford Motor Company.

² Transource Missouri is the Applicant in File No. EA-2013-0098.

³ KCP&L and GMO are the Applicants in File No. EO-2012-0367.

the Commission's office in Jefferson City, Missouri for File Nos. EA-2013-0098 and EO-2012-0367, noting that the two Applications were filed contemporaneously.

2. Commission Rule 4 CSR 240-2.110(3) provides that “[w]hen pending actions involve related questions of law or fact, the commission may order a joint hearing of any or all the matters at issue, and may make other orders concerning cases before it to avoid unnecessary costs or delay.” *See Mo.R.Civ.Pro.* 66.01 Consolidation. The Parties request that the Commission consolidate File Nos. EA-2013-0098 and EO-2012-0367 due to there being related questions of law or fact.

3. As a result of discussions that have occurred among the Parties on and after October 15, 2012, the Parties propose the following procedural schedule:

Staff, OPC, and MIEC Rebuttal Testimony	January 30, 2013
Surrebuttal and Cross-Surrebuttal Testimony	March 1, 2013
Settlement Conference (Conference Call)	March 12, 2013
Last Day to Serve Discovery Requests	March 16, 2013
List of Issues, Order of Witnesses, etc.	March 19, 2013
Statement of Positions	March 21, 2013
Evidentiary Hearings	March 27-29, 2013
Initial Briefs of all Parties	May 1, 2013
Reply Briefs of all Parties	May 22, 2013

The March 16, 2013 cutoff date for discovery is based on the Parties showing a good faith effort to comply with the times agreed to by them in paragraph 5 below.

4. The agreement of the Staff, OPC, and MIEC to this *Jointly Proposed Procedural Schedule, Procedures, And Motion To Consolidate* does not preclude them from filing a pleading(s) with the Commission arguing in the alternative that the EA-2013-0098 and/or EO-2012-0367 filings / cases of KCP&L, GMO, and/or Transource Missouri are premature / not ripe / non-justiciable.

5. The Parties agree to the following times to object to Data Requests, advise of need for additional time to respond, and answer response times:

Response Time To Data Requests Regarding and After Direct Testimony Filing Up To Rebuttal Testimony Filing: 10 calendar days to object and advise of need for more than 20 calendar days response time.

Response Time To Data Requests Regarding and After Rebuttal Testimony Filing Up To Surrebuttal and Cross-Surrebuttal Testimony Filing: 5 calendar days to object and advise of need for more than 10 calendar days response time.

Response Time To Data Requests Regarding and After Surrebuttal and Cross-Surrebuttal Testimony Filing: 3 calendar days to object and advise of need for more than 5 calendar days response time.

If a Data Request has been responded to, a copy of such response shall be provided to another requesting Party, unless the responding Party objects to providing the response to such requesting Party. If a Data Request has been responded to by KCP&L, GMO, or Transource Missouri through KCP&L and GMO's Caseworks system, those companies will provide another requesting Party access to Caseworks for their review. If a Data Request has not yet been responded to, a copy of such response shall be provided to a requesting Party within the response time set for such underlying Data Request, unless the responding Party objects to providing the response to such requesting Party. If a Data Request has not yet been responded to by KCP&L, GMO, or Transource Missouri, those companies will provide another requesting Party access to

Caseworks for their review when the response is provided to the Party that issued the underlying Data Request.

6. All Parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel of record by electronic means and in electronic form, essentially contemporaneously with the filing of such testimony, exhibits, or pleadings where the information is available in electronic format (.PDF, .DOC, .WPD, or .XLS). Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.

7. The 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 or proprietary information shall be appropriately designated as such pursuant to Commission Rule 4 CSR 240-2.135.

8. 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. Data Requests served after 5:00 p.m. shall be considered served on the next business day. If a Party desires a copy of the response to a Data Request that has been served on another Party, the Party desiring such copy shall request a copy of the response from the responding Party. Thus, if a Party desires a copy of a response by Transource Missouri to a Staff-issued Data Request, the Party should ask Transource Missouri, not the Staff, for a copy of the Data Request response

unless there are appropriate reasons to direct the discovery to the Party originally requesting the material. 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 all 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 will be served on counsel for the requesting Party 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. KCP&L, GMO, and Transource Missouri shall submit responses to Staff-issued Data Requests in EFIS, if feasible. If submission of responses to Staff-issued Data Request in EFIS is infeasible, then KCP&L, GMO, and Transource Missouri shall submit to Staff responses in electronic format, on compact disc, or by other means agreed to by Staff counsel.

9. Workpapers that were prepared in the course of developing a witness' rebuttal, surrebuttal, or cross-surrebuttal testimony shall not be filed with the Commission, but, without request, shall be submitted to each Party within two business days after the particular testimony is filed. Workpapers, or a complete set of workpapers, need not be submitted to a Party that has indicated it does not want to receive workpapers, or a complete set of workpapers. If there are no workpapers associated with testimony, the Party's attorney shall so notify the other Parties within the time allowed for providing workpapers. Workpapers containing highly confidential or proprietary information shall be appropriately marked.

10. Where workpapers or Data Request responses include models, spreadsheets, or similar information originally in a commonly available format where inputs or parameters may

be changed to observe changes in inputs or outputs, the Party providing the workpapers or responses shall provide such information in original format with formulas intact, if available.

11. Staff Data Requests for File No. EA-2013-0098 and/or File No. EO-2012-0367 are being submitted by Staff in EFIS only in File No. EA-2013-0098. KCP&L, GMO, and Transource Missouri have agreed to treat Staff Data Requests submitted in File No. EA-2013-0098 as submitted and answered in both File No. EA-2013-0098 and File No. EO-2012-0367.

12. At the October 15, 2012 Prehearing Conference, Judge Stearley requested a status report from Staff counsel on Monday, October 22, 2012. On October 22, 2012, in a conference call with counsel for the Applicants, Staff counsel reported to Judge Stearley that the Staff, OPC, and MIEC had committed to submit to the Applicants by October 25, 2012 a counterproposal regarding the proposed procedural schedule in the Application in File No. EO-2012-0367 and Staff counsel would make another status report on Monday, October 29, 2012. On Monday, October 29, 2012, Judge Stearley granted leave for an extension for the status report and on Wednesday, October 31, 2012 in a conference call with counsel for the Applicants, Staff counsel reported to Judge Stearley. Staff counsel related to Judge Stearley on November 1, 2012 that the Parties were finalizing the joint document they soon intended to file.

13. Finally, the September 5, 2012 Order of the Commission directed the Staff to file a report and recommendation no later than November 5, 2012. On September 17, 2012, the Staff filed a Staff Response in which it stated the Staff hoped the October 15, 2012 joint procedural conference would address the matter of a procedural schedule and the Staff believed the matter of a Staff report and recommendation could be addressed in the context of an overall procedural

schedule. The matter of a Staff report and recommendation will be subsumed within the Staff's rebuttal testimony filing on January 30, 2013. Therefore, the Staff on its own behalf requests leave to be excused from making the filing of report and a recommendation no later than November 5, 2012 as previously directed by the Commission.

WHEREFORE the Staff on behalf of the Parties in File Nos. EA-2013-0098 and EO-2012-0367 files the instant *Jointly Proposed Procedural Schedule, Procedures, And Motion To Consolidate*.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing *Jointly Proposed Procedural Schedule, Procedures, And Motion To Consolidate* have been transmitted electronically to all counsel of record this 2nd day of November, 2012.

/s/ Steven Dottheim