

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

In the Matter of the Second Prudence)
Review of the Missouri Energy Efficiency)
Investment Act (MEEIA) Cycle 2 Energy) **File No. EO-2020-0227**
Efficiency Programs of Evergy Metro, Inc.)
d/b/a Evergy Missouri Metro)

In the Matter of the Second Prudence)
Review of the Missouri Energy Efficiency)
Investment Act (MEEIA) Cycle 2 Energy) **File No. EO-2020-0228**
Efficiency Programs of Evergy Missouri)
West, Inc. d/b/a Evergy Missouri West)

PROPOSED PROCEDURAL SCHEDULE

COMES NOW Staff of the Missouri Public Service Commission, on behalf of itself and the Office of the Public Counsel (collectively the “Joining Parties”), and submits the procedural schedule and procedural requirements proposal outlined below for resolving these cases and in support thereof states as follows:

1. On July 8, 2020, the Commission issued an *Order Directing Joint Proposed Schedule* in both of the above-captioned unconsolidated cases. In both orders, the Commission ordered that “No later than July 22, 2020, the parties shall submit a joint proposed procedural schedule.”

2. Although to-date the cases have not been formally consolidated, since the cases involve related questions of law and fact, as well as affiliated companies, a joint procedural schedule for both cases is being proposed. The Commission may also want to consider formally consolidating the cases.

3. The Joining Parties have conferred and have agreed upon the procedural schedule and procedural requirements set forth below:

Proposed Procedural Schedule

August 12, 2020	Direct Testimony (all parties)
September 12, 2020	Rebuttal Testimony (all parties)
September 23, 2020	Settlement Conference
October 14, 2020	Surrebuttal (all parties)
October 21, 2020	List of Issues, Order of Witnesses, Order of Cross-Examination
	Joint Stipulation of Facts
	Last Day to Issue Discovery Requests, Subpoenas, or Take Depositions
October 28, 2020	Statements of Position
November 5 - 6, 2020	Evidentiary Hearing
November 16, 2020	Transcripts due
December 4, 2020	Initial Post-Hearing Briefs
December 18, 2020	Reply Briefs

Proposed Procedural Requirements

(a) All parties must comply with the requirements of Commission Rule 20 CSR 4240-2.130 for prepared testimony, including the requirement that testimony be filed on line-numbered pages.

(b) Although not all parties may agree upon how each issue should be described or on whether a listed issue is in fact a proper issue in this case, the parties shall agree upon and 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 20 CSR 42402.080. 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 issue that are to be decided by the Commission.

(e) If part of testimony or documents are prefiled and served upon the parties before a hearing, a party need only provide a copy of the testimony or document to the court reporter for making as an exhibit. If not prefiled and served upon the parties, then a party who has a document marked for use at the hearing shall have sufficient copies of the document to provide a copy not only to the court reporter, but also to each of the Commissioners, the presiding officer, and counsel for each party.

(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.

(g) Public documents filed in the Commission's Electronic Filing and Information System ("EFIS") shall be considered properly served by serving the same on counsel of record for all other parties via email. The parties agree confidential documents may be obtained from EFIS and so agree not to serve those documents via email.

(h) Counsel for each party shall receive electronically from each other party serving a data request, an electronic copy of the text of the "description" of that data request contemporaneously with service of the data request. Data requests issued to or by Staff shall be submitted and responded to in EFIS, if feasible, or in electronic format on compact disc, or by other means agreed to by counsel, if infeasible. Regarding Staff-issued data requests, if the description contains confidential 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, other than data requests submitted through EFIS, 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, other than responses to data requests in EFIS, shall be served (electronically, if feasible and practical) on counsel for the requesting party, unless waived by counsel, and shall also be served by e-mail (if feasible and practical) on the requesting party's employee or representative who submitted the data request at the e-mail address provided in the data request.

(i) The parties shall make an effort to not include confidential information in data requests. If confidential information must be included in a data request, the confidential information shall be appropriately designated as such pursuant to 20 CSR 4240-2.135.

(j) Prior to the due date for filing Direct Testimony, the time for responding to, objecting to, or notifying the requesting party that more time will be needed to respond to data requests shall be as set forth in the Commission's discovery rule, 20 CSR 4240-2.090. Beginning on the due date for filing Direct Testimony, the response time for all data requests shall be 10 days, with five business days to object or notify the requesting party that more than 10 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 without waiting the full response time allowed.

(k) Unless included as part of a party's prefiled testimony or submitted as an exhibit at hearing, workpapers prepared in the course of developing a testimony need not be filed with the Commission, but shall be submitted to each party within two (2) business days following the filing of the testimony, unless a party has indicated that it does not want to receive some or all of the workpapers. Workpapers containing confidential 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.

(l) 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 format, the party providing the workpaper or response shall provide this type of information in that original format with formulas intact.

WHEREFORE Staff, on behalf of the Joining Parties, respectfully requests the Commission issue its order adopting the above procedural schedule and requirements.

Respectfully submitted,

/s/ Jeffrey A. Keevil

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to counsel of record as reflected on the certified service list maintained by the Commission in its Electronic Filing Information System this 22nd day of July, 2020.

/s/ Jeffrey A. Keevil