

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

In the Matter of the Application of Aquila, Inc.)
d/b/a Aquila Networks – MPS and Aquila)
Networks – L&P for Authority to Transfer)
Operational Control of Certain Transmission)
Assets to Midwest Independent Transmission)
System Operator, Inc.)

Case No. EO-2008-0046

JOINTLY PROPOSED PROCEDURAL SCHEDULE

Comes now the Staff of the Missouri Public Service Commission (Staff), on behalf of all the parties in the above-captioned case,¹ and, as ordered by the Missouri Public Service Commission (Commission) in its September 28, 2007, *Order Granting Intervention and Scheduling Prehearing Conference*, submits the jointly proposed procedural schedule following:

<u>EVENT</u>		<u>DATE</u>
Direct Testimony – Aquila		Aug. 20, 2007 – Monday
Rebuttal Testimony – non-Aquila parties		Nov. 30, 2007 – Friday
Surrebuttal & Cross-Surrebuttal Testimony – all parties		Jan. 18, 2008 – Friday
Prehearing Conference		Feb. 4, 2008 – Monday 10:00 a.m.
Joint Stipulation of Facts, List of Issues, Order of Witnesses & Order of Cross-Examination		Feb. 8, 2008 – Friday
Position Statements, Exhibit Lists & Objections To Prefiled Testimony		Feb. 15, 2008 – Friday
Evidentiary Hearing (Commission’s Offices in Jefferson City)		Mar. 3-5, 2008 10:00 a.m. first day, 8:30 a.m. thereafter
Post-Hearing Briefs		Date(s) to be determined at close of hearing

¹ The Staff notes it did not receive responses from all parties approving this pleading (The Staff received no responses expressing disapproval.); however, all parties who appeared at the prehearing conference indicated at that conference the proposed procedural schedule and conditions set out in this pleading are acceptable.

1. No party has voiced objection to any of the following procedures. Therefore, the Staff requests these matters be reflected in the Commission's order when it sets the procedural schedule for this case:

a. Copies of testimony, exhibits and pleadings shall be provided to other counsel by electronic means and in electronic form essentially concurrently with the filing of such testimony, exhibits or pleadings.

b. Effort will be made to not include in data requests highly confidential or proprietary information. If either highly confidential or proprietary information is included in data requests, the highly confidential or proprietary information should be appropriately designated as such pursuant to the Commission's Rule 4 CSR 240-2.135.

c. Copies of data requests are to be electronically provided to counsel for each party. 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 it from the party who answered the data request. By this process the party who originally provided the response has the opportunity to object to that response being provided to a third party and relieves the party who originally obtained the response from the responsibility of copying information the party who gave the response claimed was highly confidential or proprietary. Thus, if a party wants a copy of an Aquila response to a Staff data request, the party should ask Aquila for its response, not the Staff.

d. Workpapers associated with the filing of testimony that were prepared in the course of developing that testimony are not to be filed with the Commission, but are to be submitted to each party within two (2) business days following when the associated testimony is filed. Workpapers containing highly confidential or proprietary information should be appropriately marked. Since workpapers for certain parties may be voluminous and some parties may not desire them all or part of them, a party shall be relieved of providing workpapers to another party to the extent the party who is to receive them informs the party who is to provide them what workpapers it does not want.

e. If 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 outputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format.

f. For purposes of this case, as indicated in the jointly proposed procedural schedule, the parties request the Commission waive 4 CSR 240-2.045(2) and treat filings made in the Commission's Electronic Filing and Information System as timely filed if filed before midnight on the date the filing is due.

g. Anticipating they will not be able to agree on statements of the issues that comply with Commission Rule 4 CSR 240-2.080(21), for purposes of the list of issues, the parties request the Commission waive the requirements of that rule.

2. The parties note that there is no operation-of-law date in this case; however, due to witness availabilities, other proceedings and Commission availability, they jointly propose the procedural schedule set out above.

Wherefore, in response to the Commission's September 28, 2007, *Order Granting Intervention and Scheduling Prehearing Conference*, the Staff files this jointly proposed procedural schedule, and makes the foregoing requests on behalf of itself and the other parties to this case.

Respectfully submitted,

/s/ Nathan Williams

Nathan Williams
Deputy General Counsel
Missouri Bar No. 35512

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-8702 (Telephone)
(573) 751-9285 (Fax)
nathan.williams@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 29th day of October, 2007.

/s/ Nathan Williams