

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

In the matter of The Empire District)
Electric Company for Authority to File)
Tariffs Increasing Rates for Electric)
Service Provided to Customers in the)
Company’s Missouri Service Area)

File No. ER-2014-0351

JOINT PROPOSED PROCEDURAL SCHEDULE

COME NOW, the Staff of the Missouri Public Service Commission (“Staff”), The Empire District Electric Company (“Empire”), the Midwest Energy Users’ Association (“MEUA”), the Midwest Energy Consumer’s Group (“MECG”), the Office of the Public Counsel (“Public Counsel”), City of Joplin (“Joplin”), and the Missouri Division of Energy (“DOE”), and jointly state as follows:

1. On August 29, 2014, Empire filed with the Missouri Public Service Commission (“Commission”) tariff sheets to implement a general rate increase for electric service to customers in its Missouri service area.
2. On September 24, 2014, the Commission convened an early pre-hearing conference and directed the parties to agree on a proposed procedural schedule and hearing dates and for Staff counsel to make such filing by October 1, 2014.
3. The signatory parties jointly propose the following procedural dates:

<u>EVENT</u>	<u>DATE</u>
Case Filed	August 29, 2014
Direct Testimony (Non-Empire Parties, revenue requirement)	January 29, 2015
Data Request Response Time Becomes 15 calendar days with 8 calendar days to object	January 30, 2015

Direct Testimony (Non-Empire parties, class cost of service and rate design)	February 11, 2015
Local Public Hearings (subject to Commission Order)	February – March, 2015
Preliminary Reconciliation (not to be filed – to be Provided to all parties)	February 13, 2015
Technical Conference	February 17 -19, 2015
Preliminary Issues List (not to be filed – to be Provided to all parties)	March 3, 2015
Rebuttal Testimony (all parties)	March 9, 2015
Data Request Response Time Becomes 5 business days with 3 business days to object	March 10, 2015
Empire to Provide True-up Information to all Parties	March 16, 2015
Surrebuttal Testimony (all parties)	March 24, 2015
List of Issues, Order of Witness, Order of Cross Examination	March 27, 2015
Statements of Position	March 31, 2015
Final Reconciliation (to be filed)	April 1, 2015
Evidentiary Hearings	April 6 - 10, 2015 April 13 - 17, 2015
True-up Direct Testimony*	April 30, 2015
True-up Rebuttal Testimony*	May 7, 2015
True-up Evidentiary Hearing	May 13, 2015
Initial Post Hearing Brief (All parties)	May 15, 2015
Reply/True-up Briefs	May 29, 2015
Operation of Law Date	July 26, 2015

*No party shall revise or change that party's methods or methodologies in true-up testimony.

4. The Parties jointly propose the Commission order the following procedural items for this case:

- (a) All parties must comply with the requirements of Commission Rule 4 CSR 240-2.130 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 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) If part of testimony or documents 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 marking 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 other 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 it.
- (g) 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 e-mail.

- (h) Any data request issued to or by the Staff shall be submitted and responded to in EFIS. However, if the technical limitations of EFIS make such submission or response difficult, the parties to the data requests may agree upon an alternative method of submission and response, or an alternative method of submission and response may be ordered by the Commission. 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.
- (i) Subject to paragraph (h) above, 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. 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 as contacts 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.
- (j) Until direct testimony is filed on January 29, 2015, the response time for all data requests shall be twenty calendar days, with ten calendar days to object or notify the requesting party that more than twenty calendar days will be needed to provide the requested information. After January 29, 2015, until rebuttal testimony is filed on March 9, 2015, the response time for data requests shall be fifteen calendar days to provide the requested information and eight calendar days to object or notify the requesting party that more than fifteen calendar days will be needed to provide the requested information. After rebuttal testimony is filed on March 9, 2015, the response time for data requests shall be five business days to provide the requested information and three business days to object or to notify the requesting party that more than five business 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.
- (k) 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 (2) business days following the filing of the particular testimony, unless a party has indicated that 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 the 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 original format, the party providing the workpaper or response shall provide this type of information in that original format with formulas intact.

5. The signatory parties agree that the test year runs from May 2013 through April 2014, with an updated test year of August 31, 2014, and a true-up of December 31, 2014.

WHEREFORE, the signatory parties submit their *Joint Proposed Procedural Schedule* and respectfully request that the Commission order the procedural matters as set forth here-in.

Respectfully submitted,

THE EMPIRE DISTRICT ELECTRIC
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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 1st day of October, 2014.

/s/ Robert S. Berlin