

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

In the Matter of Union Electric Company d/b/a )  
Ameren Missouri’s 2<sup>nd</sup> Filing to Implement )  
Regulatory Changes in Furtherance of Energy )  
Efficiency as Allowed by MEEIA )

**File No. EO-2015-0055**

**ORDER SETTING PROCEDURAL SCHEDULE**

Issue Date: August 25, 2017

Effective Date: August 25, 2017

On August 14, 2017, the Staff of the Commission (“Staff”) and the Office of the Public Counsel (“OPC”) filed Change Requests Regarding Union Electric Company d/b/a Ameren Missouri’s EM&V Report. Per Appendix C of the signatories’ Non-Unanimous Stipulation and Agreement filed on February 5, 2016, and approved on February 10, 2016, responses to Change Requests are due 21 days after the Change Request is filed. Thus, on August 15, 2017, the Commission ordered stakeholders interested in responding to the Change Requests to do so within that 21-day period.

On August 21, 2017, Ameren Missouri, Staff and OPC filed a Jointly Proposed Procedural Schedule. The movants requested the Commission vacate its August 15, 2017 order setting time for responses to the Change Requests, and further requested the Commission to set a procedural schedule as they recommended.

The Commission finds the schedule reasonable, and will adopt it, except for the hearing dates, which must be changed to accommodate Commissioner availability. Because the Commission is convening the hearing later than the parties requested, it has also extended the parties’ briefing deadlines.

**THE COMMISSION ORDERS THAT:**

1. The procedural schedule shall be as follows:

<b>Staff and OPC Direct</b>	<b>-</b>	<b>September 11, 2017</b>
<b>Rebuttal</b>	<b>-</b>	<b>October 13, 2017</b>
<b>Surrebuttal/Cross-Surrebuttal</b>	<b>-</b>	<b>October 27, 2017</b>
<b>Settlement Conference</b>	<b>-</b>	<b>November 6-7, 2017</b>
<b>Last Day to Request Discovery</b>	<b>-</b>	<b>December 1, 2017</b>
<b>List of Issues, Order of Witnesses, Order of Cross-Examination</b>	<b>-</b>	<b>December 6, 2017</b>
<b>Position Statements</b>	<b>-</b>	<b>December 8, 2017</b>
<b>Hearing beginning each day at 8:30 a.m.</b>	<b>-</b>	<b>January 16-17, 2018,</b>
<b>Initial Post-Hearing Briefs</b>	<b>-</b>	<b>February 7, 2018</b>
<b>Reply Briefs</b>	<b>-</b>	<b>February 23, 2018</b>
  
2. The parties shall comply with the following procedural requirements:
  - (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 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 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.
- (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 e-mail. The parties agree highly 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. Regarding Staff-issued data requests, if the description contains highly confidential or proprietary information, or is voluminous, 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 Caseworks Extranet site; however, in the case of responses to data requests Staff issues, Ameren Missouri shall also submit the responses to Staff data requests in EFIS, if feasible, or in electronic format on compact disc or by other means agreed to by Staff counsel, if infeasible.

- (i) The parties shall make an effort to not include highly confidential or proprietary information in data requests. If highly confidential or proprietary information must be included in a data request, the highly confidential or proprietary information shall be appropriately designated as such pursuant to Commission Rule 4 CSR 240-2.135.
- (j) Until rebuttal testimony is filed, the response time for all data requests shall be fifteen (15) calendar days, with five (5) business days to object or notify the requesting party that more than fifteen (15) calendar days will be needed to provide the requested information; thereafter, the response time for all data requests shall be five (5) business days, with three (3) business days to object or notify the requesting party that more than five (5) 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 (except that, with the exception of responses to Staff, responses will not be needed for Ameren Missouri's data request responses posted on Ameren Missouri's Caseworks Extranet site).
- (k) Data requests may be directed to the Commission's Auditor or the Company's Evaluator by serving the data request on counsel for the Staff or the Company, respectively. The Auditor and Evaluator will provide their responses to Staff or the Company, respectively, who will in turn submit them to the parties. The Staff's role in responding to data requests sent to the Auditor and the Company's role in responding to data requests sent to the Evaluator shall be administrative only without exercising editorial control or invoking any privilege. In the event the Auditor or Evaluator is called to testify, the Auditor will be represented at the hearing or at any deposition by Staff counsel, and the Evaluator will be represented at the hearing or at any deposition by counsel for the Company.
- (l) Workpapers prepared in the course of developing a Change Request, including verified memoranda including therewith (including exhibits or schedules) 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 document, 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 a Change Request or testimony, the party's attorney shall so notify the other parties within the time allowed for providing those workpapers.

- (m) 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. With the exception of workpapers provided to Staff, Ameren Missouri may provide workpapers by posting the same 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 Extranet site. Ameren Missouri shall provide its workpapers to Staff in electronic format by e-mailing or by delivery of a compact disc or other electronic storage.
- (n) Commission Rule 4 CSR 2.090's requirement that a party must seek a telephone conference with the presiding officer before filing a discovery motion shall be waived.

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. The prior requirement for parties to respond no later than September 5, 2017 to the Change Request is cancelled.

5. This order shall be effective when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive style.

Morris L. Woodruff  
Secretary

Ronald D. Pridgin, Deputy Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on this 25<sup>th</sup> day of August, 2017.

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission,  
at Jefferson City, Missouri, this 25<sup>th</sup> day of August 2017.



  
Morris L. Woodruff  
Secretary

# **MISSOURI PUBLIC SERVICE COMMISSION**

**August 25, 2017**

**File/Case No. EO-2015-0055**

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***Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).***

***Sincerely,***



**Morris L. Woodruff  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.