

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at the Commission's office in Jefferson City, Missouri on the 18<sup>th</sup> day of August, 2021.

In the Matter of the Application of Larry W. )  
Duggar for Change of Electric Supplier from )  
Empire District Electric Company d/b/a Liberty to ) **File No. EO-2021-0389**  
New-Mac Electric Cooperative, Inc. )

**ORDER ESTABLISHING PROCEDURAL SCHEDULE AND OTHER  
PROCEDURAL REQUIREMENTS**

Issue Date: August 18, 2021

Effective Date: August 18, 2021

Larry Duggar filed an application with the Missouri Public Service Commission requesting a change of electric supplier from The Empire District Electric Company d/b/a Liberty to New-Mac Electric Cooperative, Inc. (New-Mac). The Commission directed its Staff (Staff) to file a recommendation on Mr. Duggar's application, and Staff filed that recommendation on July 22, 2021. The Commission then directed Staff to file a procedural schedule on behalf of the parties, which Staff did August 11, 2021. Mr. Duggar's application is now ready for the Commission's consideration. The Commission has reviewed the proposed schedule and will adopt it with modifications.

**THE COMMISSION ORDERS THAT:**

1. The following procedural schedule is established:

<b>Duggar Direct Testimony</b>	September 16, 2021
<b>Rebuttal (Liberty, New-Mac, Staff)</b>	November 18, 2021
<b>Last Day for Discovery</b>	December 13, 2021
<b>Surrebuttal (All Parties)</b>	December 16, 2021

<b>Joint Stipulation of Facts</b>	December 23, 2021
<b>Joint List of Issues, Order of Opening Statements, Witnesses and Cross-Examination</b>	January 6, 2022
<b>Statement of Positions (All Parties)</b>	January 7, 2022
<b>Evidentiary Hearing</b>	January 12, 2022
<b>Initial Briefs (All Parties)</b>	January 27, 2022
<b>Reply Briefs</b>	February 10, 2022

2. The evidentiary hearing shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri, at 9:00 a.m. 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.

3. The parties shall comply with the following procedural requirements:

- (A) Testimony shall be prefiled as defined in Commission Rule 20 CSR 4240-2.130. All parties must comply with this rule, 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 Staff shall 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 issue that party disputes. Position statements shall track the list of issues. Any position statement shall set forth any order requested, cite any law authorizing that relief, and allege facts relevant under the law with citations to any pre-filed testimony in support.
- (D) All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 20 CSR 4240-2.080. 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 the testimony or documents are prefiled and served upon the parties before the hearing, a party need only provide a copy of the testimony or document to the court reporter to be marked 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 Commissioner, the Regulatory Law Judge, and counsel for each other party.
- (F) Documents filed in EFIS shall be considered properly served by serving the same on counsel of record for all other parties via e-mail.
- (G) Each party shall prepare a list of its pre-filed, pre-marked exhibits and submit a copy of that list to every other party and email a copy to the

Regulatory Law Judge. The lists shall not be filed in the EFIS case file. Exhibits that may be offered during cross-examination, but which have not been pre-filed, need not be included on the list. However, when those documents are offered during the hearing, they will be assigned a number from that party's number group.

7. 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, flowing style.

Morris L. Woodruff  
Secretary

Silvey, Chm., Rupp, Coleman, Holsman, and  
Kolkmeier CC., concur.

Clark, Senior Regulatory Law Judge


**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 18<sup>th</sup> day of August, 2021.**



  
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**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**August 18, 2021**

**File/Case No. EO-2021-0389**

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**New-Mac Electric Cooperative,  
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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.