

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

In the Matter of Union Electric Company)
d/b/a Ameren Missouri’s 3rd Filing to)
Implement Regulatory Changes in Furtherance) File No. EO-2018-0211
of Energy Efficiency as Allowed by MEEIA.)

JOINT MOTION TO ADOPT PROCEDURAL SCHEDULE

COME NOW Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri”), Staff of the Missouri Public Service Commission (“Staff” and “Commission,” respectively), the Office of Public Counsel (“OPC”), Missouri Department of Economic Development – Division of Energy (“DE”), Renew Missouri Advocates d/b/a Renew Missouri (“Renew Missouri”), National Housing Trust (“NHT”), Tower Grove Neighborhoods Community Development Corporation (“TGNCDC”), and Consumers Council of Missouri (“Consumers Council”), and jointly propose the following procedural schedule and requirements for approval by the Commission.

1. On June 19, 2018, parties to this case met at a procedural conference to discuss a procedural schedule that would enable the Commission and interested parties time to fully consider the MEEIA 2019-24 Plan and still complete that review so Ameren Missouri can implement an approved plan by March 1, 2019. The resulting proposed procedural schedule resulting from those discussions is as follows:

EVENT	DATE
Filing Date	June 4, 2018
Rebuttal Testimony	August 14, 2018
Surrebuttal/Cross-Surrebuttal Testimony	August 30, 2018

Last Day to Request Discovery ¹	September 7, 2018
List of Issues, List of Witnesses, and Order of Cross-Examination	September 11, 2018
Position Statements	September 14, 2018
Evidentiary Hearing	October 2-5, 2018 ²
Initial Post-Hearing Briefs	October 26, 2018
Reply Briefs	November 2, 2018
Requested Order	November 30, 2018

Proposed Procedural Requirements

- (a) For rebuttal and surrebuttal/cross-surrebuttal testimony, 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

¹ By issuing Data Requests or other written discovery requests, subpoenas, or the last date by which a deposition may be taken.

² In order to accommodate this hearing schedule, the parties to File No. EO-2018-0155 (who are also parties in this matter) have agreed to modify their proposed procedural schedule in order to conduct an evidentiary hearing on October 1, 2018. A pleading indicating this modification will be submitted in File No. EO-2018-0155 the same day as the submission of this pleading.

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 already 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 confidential documents may be obtained from EFIS and so agree not to serve those documents via e-mail.
- (h) Counsel for each party shall receive electronically from all other parties 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. Also 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. 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 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 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 Commission Rule 4 CSR 240-2.135.
- (j) The response time for all data requests shall be fifteen (15) days, with five (5) business days to object or notify the requesting party that more than fifteen (15) 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 (except that, with the exception of responses to Staff, responses will not be needed

for Ameren Missouri data request responses posted on Ameren Missouri's Caseworks Extranet site).

- (k) Workpapers prepared in the course of developing a testimony shall not be filed with the Commission, but shall be submitted to each party within two (2) business days following the filing of the testimony 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 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. 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.
- (m) 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.

Ameren Missouri will hold technical conferences every Tuesday from 9:00 am to 11:00 with Staff, the Office of the Public Counsel, and any other interested party wishing to participate, commencing the week of June 19, 2018 and continue those conferences through July 31, 2018.³ Ameren Missouri will solicit agenda items and topics for each technical conference and will be prepared to address specific areas of interest and concern.

The following parties to this proceeding have been informed of this procedural schedule and, while not joining as signatories, have indicated they do not intend to lodge an objection to its adoption: Kansas City Power and Light Company, KCP&L Greater Missouri Operations

³ Technical conferences can end before or continue after this date depending upon the value the parties find in them, up to the date of the evidentiary hearing. Any party can choose to cease participation without affecting the choice of remaining parties to continue participating in the technical conferences.

Company, Spire Missouri, Inc., Midwest Energy Consumers Group, and the Natural Resources Defense Council.

WHEREFORE, the Signatories to this pleading request the Commission adopt the procedural schedule and requirements contained herein.

Respectfully submitted,

/s/ Paula N. Johnson

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**ATTORNEY FOR CONSUMERS
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served on the Staff of the Commission and the Office of the Public Counsel on this via electronic mail (e-mail) on this 22nd day of June, 2018.

/s/ Paula N. Johnson
Paula N. Johnson