

Commission, after permitting a response from The Office of the Public Counsel, adopt the following procedural schedule:

<u>Activity</u>	<u>Date</u>
Initial Case Filing	March 22, 2021
Rebuttal Testimony	December 30, 2021
Discovery Cutoff	December 30, 2021 ¹
Surrebuttal Testimony	January 12, 2022
List of Issues, Order of Witnesses And Order of Cross-Examination	January 20, 2022
Statement of Positions	January 24, 2022
Evidentiary Hearing	January 28, 2022
Initial Briefs	February 17, 2022
Reply Briefs	March 4, 2022

2. Workpapers prepared in the course of developing a witness' testimony including schedules (whether filed separately or as part of a report) shall not be filed with the Commission, but shall be provided to each party within two (2) business days following the filing of the relevant testimony. Workpapers containing confidential information should be marked in compliance with 20 CSR 4240 2.135. Counsel for each party shall undertake to advise other counsel if a sponsored witness has no workpapers associated with a specific piece of

¹ This designates the final day by which to issue new data requests, to request any written discovery, and by which to conduct depositions.

testimony. Where workpapers include models, spreadsheets or similar documents originally in a commonly available format, in which inputs or parameters may be changed to observe changes in inputs or outputs, if available in that original format, the party providing the workpaper shall provide this type of information in that original format with formulas intact. Workpapers shall be provided in electronic format by email or on a compact disc or other electronic storage media where appropriate.

3. Staff and the Company request that the Commission adopt the following discovery procedures:

a. All parties shall provide copies of testimony including schedules, exhibits and pleadings to other counsel of record by electronic means and in electronic form concurrently with the filing of such testimony, exhibits or pleadings where the information is available in electronic format. Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchange.

b. Parties shall treat all confidential information with the appropriate designation and comply with all provisions of 20 CSR 4240 2.135.

c. Data requests (DR) issued to or by Staff shall be submitted and responded to in the Commission's Electronic Filing and Information System (EFIS). If this is not feasible, Staff shall be contacted to arrange an appropriate alternative. Counsel for each party shall receive electronically from each party serving a DR, an electronic copy of the text of the "description" of that data request

contemporaneously with service of the data request. Regarding Staff-issued DRs, if the description contains confidential information, or is voluminous, a hyperlink to the EFIS record of that DR shall be considered a sufficient copy. If a party desires a copy of the responses to DRs served on another party, the party desiring a copy must request that copy from the party responding to that DR. DRs shall be emailed to counsel for the other parties to this matter. Counsel may designate other personnel to be added to a service list for DRs, but shall assume the responsibility for enforcing such a request and ensuring the preservation of confidentiality.

d. Discovery disputes should be handled in accordance with 20 CSR 4240-2.090.8. The parties commit to resolve discovery disputes without Commission intervention to the extent possible.

e. Data request responses containing models, spreadsheets or similar documents originally in a commonly available format, in which inputs or parameters may be changed to observe changes in inputs or outputs, as discussed above should be provided in their original format with formulas intact.

f. Data request procedure should be shortened to three (3) calendar days to object and seven (7) calendar days to respond for the remaining duration of the case.

g. Documents filed in EFIS shall be considered properly served by serving the same on counsel of record for all parties via email.

WHEREFORE, Staff prays that the Commission will accept this *Joint Proposed Procedural Schedule*; will issue an order in accordance with this proposed schedule, pending the response of The Office of the Public Counsel; and grant such other and further relief as the Commission considers just in the circumstances.

/s/ Whitney Payne

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 2nd day of December, 2022, to all counsel of record.

/s/ Whitney Payne