

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
November 26, 2001**

CASE NO: EM-2001-695

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

William B. Bobnar
Union Electric Company
1901 Chouteau Avenue
P. O. Box 149 (MC 1310)
St. Louis, MO 63166-6149

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Victor S. Scott
Andereck, Evans, Milne, Peace & Johnson
LLC
700 E. Capitol Avenue
P. O. Box 1438
Jefferson City, MO 65102

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Joint Application of Union Electric Company and Lewis County Rural Electric Cooperative for an Order Approving the Change in Electric Supplier for Reasons in the Public Interest and Authorizing the Sale, Transfer and Assignment of Certain Electric Distribution Facilities, Easements and other Rights Generally from Union Electric Company to Lewis County Rural Electric Cooperative)
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Case No. EM-2001-695

ORDER ESTABLISHING PROCEDURAL SCHEDULE

On October 4, 2001, the parties filed their Joint Proposed Procedural Schedule. The parties requested additional time to negotiate and file a Joint Stipulation and Agreement to resolve the issues presented and proposed a partial procedural schedule and a later filing for a detailed and complete procedural schedule if a negotiated settlement is not achieved. The Commission granted this request in an Order Directing Filing issued on October 15, 2001.

The parties were directed to file their Joint Stipulation and Agreement no later than November 9, 2001. In the event that the parties were unable to agree to and file a Joint Stipulation and Agreement, the parties were directed to file a complete and detailed procedural schedule not later than November 16, 2001.

On November 16, 2001, the parties filed a proposed procedural schedule as directed by the Commission. The parties indicate that they are continuing to pursue a settlement of the issues and have made progress toward identifying and resolving the

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issues presented. The parties will notify the Commission if their discussions produce a settlement.

The Commission finds that it is prudent and in the interest of the public and of the parties to establish a procedural schedule for this case to assure that the matters presented are timely resolved in the event a settlement is not obtained. The proposed procedural schedule is acceptable and complies with earlier parameters set by the Commission and will be adopted.

Procedural Schedule Conditions and Procedures:

(A) The Commission will require the prefilng of testimony as defined in 4 CSR 240-2.130. All parties shall comply with this rule, including the requirement that testimony be filed on line-numbered pages. The practice of prefilng testimony is designed to give parties notice of the claims, contentions and evidence in issue and to avoid unnecessary objections and delays caused by allegations of unfair surprise at the hearing.

(B) The parties shall agree on and the Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing and the order in which they shall be called, and the order of cross-examination for each witness. The Commission will view any issue not contained in this list as uncontested and not requiring resolution.

(C) Each party shall file a statement of its position on each contested issue, with a summary of the factual and legal points relied on by the party. Such statement shall be simple and concise, shall follow the issues set out in the issues statement, and shall not contain argument. The position statement shall be filed in paper form and electronically submitted, either on computer disk or by e-mail. Electronically submitted

documents shall be in Word, WordPerfect, or ASCII format. The Regulatory Law Judge's e-mail address is: kthornbu@mail.state.mo.us.

(D) All pleadings, briefs and amendments shall be filed in accordance with 4 CSR 240-2.080. Initial briefs shall contain a table of contents, a brief procedural history, a statement of facts with references to the record, the legal standard the Commission should apply, and argument following the issues statement filed in the case with appropriate legal authority and references to the record. Reply briefs, if ordered, shall rebut or distinguish arguments presented in the initial briefs and shall not reargue points presented in a party's initial brief or present new arguments.

(E) Each party shall submit, with their position statements, proposed findings of fact, conclusions of law, and ordered paragraphs, in both paper form and electronically, either on computer disk or by e-mail. Electronically submitted documents shall be in Word, WordPerfect, or ASCII format. The Regulatory Law Judge's e-mail address is: kthornbu@mail.state.mo.us.

(F) All parties are required to bring an adequate number of copies of exhibits they intend to offer into evidence at the hearing. If an exhibit has been prefiled, only three copies of the exhibit are necessary for the court reporter. If an exhibit has not been prefiled, the party offering it should bring, in addition to the three copies for the court reporter, copies for the five Commissioners, the regulatory law judge, and all counsel.

IT IS THEREFORE ORDERED:

1. That the following procedural schedule is established for this case:

Direct testimony of All Parties	-	January 11, 2002
Rebuttal Testimony of All Parties	-	January 15, 2002
Surrebuttal Testimony of All Parties	-	February 8, 2002
Statement of Issues	-	February 15, 2002
Statement of Positions and Findings Of Fact, Conclusions of Law and Ordered Paragraphs:	-	February 22, 2002
Evidentiary Hearing – 8:30 A.M.	-	March 1, 2002

2. That the evidentiary hearing will be held in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. If any person needs additional accommodations to participate in the hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or 1-800-829-7541 (TDD) prior to the hearing.

3. That this order shall become effective on December 6, 2001.

BY THE COMMISSION

(SEAL)



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

Keith Thornburg, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

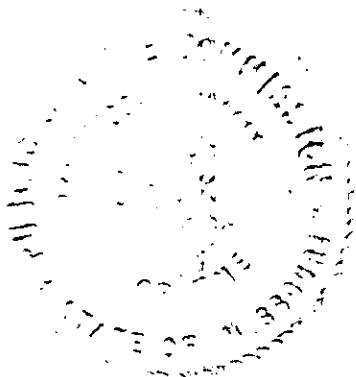
Dated at Jefferson City, Missouri,
on this 26th day of November, 2001.

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 26th day of Nov. 2001.



Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge