

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 15th day of
November, 2018.

In the Matter of the Application of Union Electric)	
Company d/b/a Ameren Missouri for Permission and)	
Approval and a Certificate of Convenience and)	<u>File No. EA-2019-0021</u>
Necessity Authorizing it to Construct a Wind)	
Generation Facility)	

ORDER ADOPTING PROCEDURAL SCHEDULE

Issue Date: November 15, 2018

Effective Date: November 15, 2018

On October 22, 2018, Union Electric Company d/b/a Ameren Missouri filed an application seeking an order granting a Certificate of Convenience and Necessity (CCN) pursuant to section 393.170, RSMo 2016. The CCN would authorize Ameren Missouri to construct, own, and operate a wind generation facility to be constructed in Atchison County, Missouri.

Along with its application, Ameren Missouri filed a motion asking the Commission to adopt a described procedural schedule, including additional procedural and discovery provisions. The motion represents that Staff and Public Counsel do not oppose the proposed schedule. When the motion was taken up at the November 6 procedural conference, no objections to the schedule were voiced.

The Commission will adopt the proposed procedural schedule,¹ and will schedule a local public hearing in a separate order.

¹ The Commission will not waive the requirement of Commission Rule 4 CSR 2.090(8) that a party must seek a telephone conference with the presiding officer before filing a discovery motion.

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is established:

(Throughout the procedural schedule, the response time for all data requests shall be twelve days, with three business days to object or notify the requesting party that more than twelve days will be needed to provide the requested information.)

Technical Conference	-	December 12, 2018
Rebuttal Testimony	-	December 21, 2018
Local Public Hearing	-	TBD
Surrebuttal and Cross-Surrebuttal Testimony	-	January 22, 2019
Settlement Conference	-	January 28, 2019
List of Issues, Order of Witnesses, Order of Cross-Examination, Order of Opening	-	February 6, 2019
Last day to request discovery (by issuing written discovery requests, subpoenas' or the last date by which a deposition may be taken)	-	February 8, 2019
Statements of Position	-	February 13, 2019
Hearing	-	February 19-22, 2019, beginning each day at 8:30 a.m.
Initial Post-Hearing Briefs	-	March 12, 2019
Reply Briefs	-	March 22, 2019

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

- (A) Testimony shall be prefiled as defined in Commission Rule 4 CSR 240-2.130.

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, 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 disputed issue. 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 4 CSR 240-2.080. Briefs shall track 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 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 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 Presiding Officer, and counsel for each other party.

- (F) All parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel of record 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. Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.
- (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 confidential 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 twelve days, with three business days to object or notify the requesting party that more than twelve 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 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) The technical and settlement conferences provided for in the procedural schedule may be postponed or cancelled by consensus of the parties without further order of the Commission.

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. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Silvey, Chm., Kenney, Hall, Rupp, and
Coleman, CC., concur.

Woodruff, Chief Regulatory Law Judge

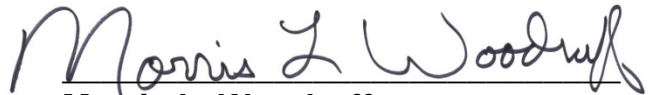
STATE OF MISSOURI

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 15th day of November 2018.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

November 15, 2018

File/Case No. EA-2019-0021

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

Sincerely,

A handwritten signature in dark ink, reading "Morris L. Woodruff". The signature is fluid and cursive, with the first name "Morris" being the most prominent.

**Morris L. Woodruff
Secretary**

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