

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

In the Matter of the Application of)	
Union Electric Company d/b/a)	<u>Case No. ET-2021-0082</u>
Ameren Missouri for Approval of)	Tracking No. YE-2021-0081
Its Surge Protection Program)	

JOINT PROPOSED PROCEDURAL SCHEDULE

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, on behalf of all parties to this matter, and for their *Joint Proposed Procedural Schedule* in this matter hereby state:

1. Union Electric Company d/b/a Ameren Missouri filed an *Application and Request for Waiver* along with direct testimony and revised tariff sheets on September 21, 2020. The *Application* seeks approval of a new tariffed program to provide Ameren Missouri customers the option to obtain protection from electrical surges that could otherwise enter a customer’s electric meter. Staff reviewed the *Application* and proposed tariff sheets and provided its recommendation on November 10, 2020. Ameren Missouri filed three *Responses* to *Staff’s Recommendation* on November 20, 2020, to *Staff’s Motion for Determination* on December 1, 2020, and to *Staff’s Response* on December 4, 2020. On December 4, 2020, Ameren Missouri extended the effective date of the proposed tariff to April 30, 2021. The Commission issued an order on January 5, 2021, directing the parties to file a procedural schedule no later than January 8, 2021. In response, Ameren Missouri has on this date filed a Motion to Set Evidentiary Hearings in Accordance with Jointly Proposed Procedural Schedule and has extended the effective date of the proposed tariff to July 31, 2021.

2. The parties have discussed and have come to the following proposed dates and terms in collaboration. The parties request that the Commission adopt the following procedural schedule:

<u>Activity</u>	<u>Date</u>
Initial Case Filing	September 21, 2020
Non-Company Rebuttal Testimony	February 19, 2021
Surrebuttal and Cross-Surrebuttal Testimony	March 19, 2021
List of Issues, Order of Witnesses And Order of Cross-Examination	March 26, 2021, 2021
Discovery Cutoff	April 2, 2021 ¹
Statement of Positions	April 6, 2021
Evidentiary Hearing	April 13-14, 2021
Initial Briefs	May 14, 2021
Reply Briefs	May 25, 2021
Effective Date of Tariff	July 31, 2021

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

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

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 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. The parties 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. In the case of Ameren Missouri data request responses, Ameren Missouri shall post its data request responses on its Caseworks Extranet site and notify counsel for the requesting party of such posting electronically; 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.

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. 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; and grant such other and further relief as the Commission considers just in the circumstances.

/s/ Whitney Payne

Whitney Payne
Senior Counsel
Missouri Bar No. 64078
Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-8706 (Telephone)
(573) 751-9285 (Fax)
whitney.payne@psc.mo.gov

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 8th day of January, 2021, to all counsel of record.

/s/Whitney Payne