

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of The Empire District Electric Company's )  
Application Concerning Demand-Side Programs ) **File No. EO-2012-0206**  
and a Demand-Side Program Investment Mechanism )

## ORDER MODIFYING PROCEDURAL SCHEDULE

Issue Date: May 24, 2012

Effective Date: May 24, 2012

On May 23, 2012, the Commission's Staff filed a motion to postpone the procedural schedule. Staff represents that the parties assert that good cause exists to postpone the schedule to allow the parties an opportunity to negotiate a potential resolution to this matter. Staff does not request that the schedule be postponed for any definite number of days, nor does Staff offer a substitute schedule or indicate when a resolution to this matter might be forthcoming. Therefore, the Commission will postpone the evidentiary hearing until September 10-11, 2012 and modify the remaining procedural deadlines accordingly. Extending the schedule by two months should allow the parties ample time to continue their negotiations. Additionally, since the parties seek the postponement, the Commission will grant a second variance from Commission Rule 4 CSR 240-20.094(3).

### THE COMMISSION ORDERS THAT:

1. The parties' second request for a variance from Commission Rule 4 CSR 240-20.094(3) is granted. The Commission approves an extension of the deadline for a final Commission decision until October 31, 2012.

2. An evidentiary hearing is scheduled for September 10-11, 2012, beginning at 8:30 a.m. The hearing will be held in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri.

3. Discovery conferences may be requested at any time by contacting the Regulatory Law Judge and shall be requested without delay if a dispute occurs. A discovery conference is scheduled for August 27, 2012 to be held, beginning at 9:00 a.m., in Room 305, of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. The scheduled discovery conference may be waived by the parties. Waiver of the conference constitutes a waiver of any discovery dispute as of the date set for the conference.

4. All hearings and conferences set in this order will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. Any person requiring additional accommodations to participate in any hearing shall call the Missouri Public Service Commission's Hotline at 800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

5. The following procedural schedule is established:

<b>Rebuttal Testimony &amp; Exhibits</b>	<b>- July 30, 2012</b>
<b>Surrebuttal Testimony &amp; Exhibits</b>	<b>- August 15, 2012</b>
<b>Last Day to Serve Discovery Requests</b>	<b>- August 22, 2012</b>
<b>Issues List, Witnesses List, Order of Witnesses, Order of Cross-Examination Order of Opening Statements</b>	<b>- August 22, 2012</b>
<b>Discovery Conference</b>	<b>- August 27, 2012</b>
<b>Position Statements</b>	<b>- August 29, 2012</b>

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| <b>Evidentiary Hearing</b>   | - <b>September 10-11, 2012<br/>beginning at 8:30 a.m.</b> |
| <b>Transcript Expedited</b>  | - <b>September 14, 2012</b>                               |
| <b>Initial Post-Hearing Briefs</b>   | - <b>September 24, 2012</b>                               |
| <b>Proposed Orders (In lieu of Reply Briefs)<br/>including Proposed Findings of Fact and<br/>Proposed Conclusions of Law</b> | - <b>October 3, 2012</b>                                  |

6. All other previously ordered procedural requirements are unchanged by this order.

7. This order shall become effective immediately upon issuance.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( S E A L )

Harold Stearley, Deputy Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 24<sup>th</sup> day of May, 2012.