

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

In the Matter of The Empire District Electric     )  
Company's Submission of its Interim Report     )     **File No. EO-2012-0269**  
Regarding Participation in the Southwest     )  
Power Pool, Inc.     )

**JOINTLY PROPOSED PROCEDURAL SCHEDULE & PROCEDURES**

**COMES NOW** the Staff of the Missouri Public Service Commission ("Staff"), by and through undersigned counsel of Staff Counsel Office, and files on behalf of the "Parties" in File No. EO-2012-0269, i.e., the Staff, The Empire District Electric Company ("Empire"), Kansas City Power & Light Company ("KCP&L"), KCP&L Greater Missouri Operations Company ("GMO"), the Office of the Public Counsel ("Public Counsel"), Southwest Power Pool, Inc. ("SPP"), Dogwood Energy, LLC ("Dogwood"), this *Jointly Proposed Procedural Schedule*.

1. Case No. EO-2006-0141 preceded File No. EO-2012-0269. In Case No. EO-2006-0141, the Commission approved the transfer of functional control of Empire's transmission facilities and participation in SPP's Regional Transmission Organization ("RTO"), until January 31, 2014.

2. As a result of discussions that have occurred among the Parties, the Parties propose the following procedural schedule:

<b><u>Filing/Event</u></b>	<b><u>Date</u></b>
Direct Testimony of Empire	7/12/13
Settlement Conference	8/06/13
Rebuttal Testimony to Empire	8/20/13
Data Request Response Time Changes To Ten (10) Calendar Days to Respond and Five (5) to Object	8/21/13

Surrebuttal and Cross-Surr. to Rebuttal	9/24/13
Data Request Response Time Changes To Five (5) Calendar Days to Respond And Three (3) to Object	9/25/13
Settlement Conference Call	9/26/13
Last Day to Serve Discovery	10/07/13
List of Issues/Order of Issues/Witnesses	10/11/13
Joint Stipulation of Facts	10/15/13
Position Statements	10/21/13
Evidentiary Hearing	10/24 and 10/25
Transcript Expedited	10/31/13
Post-Hearing Briefs	11/22/13
Reply Briefs	12/10/13

The October 7, 2013 cutoff date for discovery is based on the Parties showing a good faith effort to comply with the times agreed to by them in paragraph 3 below.

3. The Parties agree to the following times to object to Data Requests, advise of need for additional time to respond, and answer response times:

Response Time to Data Requests Regarding and After Direct Testimony Filing Up to Rebuttal Testimony Filing: 10 calendar days to object and advise of need for more than 20 calendar days response time.

Response Time to Data Requests Regarding and After Rebuttal Testimony Filing Up to Surrebuttal and Cross-Surrebuttal Testimony Filing: 5 calendar days to object and advise of need for more than 10 calendar days response time.

Response Time to Data Requests Regarding and After Surrebuttal and Cross-Surrebuttal Testimony Filing: 3 calendar days to object and advise of need for more than 5 calendar days response time.

If a Data Request has been responded to, a copy of such response shall be provided to another requesting Party, unless the responding Party objects to providing the response to such requesting Party. If a Data Request has not yet been responded

to, a copy of such response shall be provided to a requesting Party within the response time set for such underlying Data Request, unless the responding Party objects to providing the response to such requesting Party.

4. 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 contemporaneously with the filing of such testimony, exhibits, or pleadings where the information is available in electronic format (.PDF, .DOC, .WPD, or .XLS). Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.

5. The Parties shall make an effort to not include highly confidential or proprietary information in Data Request questions. If highly confidential or proprietary information must be included in Data Request questions, the highly confidential or proprietary information shall be appropriately designated as such pursuant to Commission Rule 4 CSR 240-2.135.

6. Each Party serving a Data Request on another Party shall provide an electronic copy of the text of the “description” of that Data Request to counsel for all other Parties contemporaneously with service of the Data Request. Regarding Staff-issued Data Requests, if the description contains highly confidential or proprietary information, or is voluminous, a hyperlink to the EFIS record of that Data Request shall be considered a sufficient copy. Data Requests served after 5:00 p.m. shall be considered served on the next business day. If a Party desires a copy of the response to a Data Request that has been served on another Party, the Party desiring such copy shall request a copy of the response from the responding Party. Thus, if a Party desires

a copy of a response by SPP to a Staff-issued Data Request, the Party should ask SPP, not the Staff, for a copy of the Data Request response unless there are appropriate reasons to direct the discovery to the Party originally requesting the material. 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 all 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 will be served on counsel for the requesting Party 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. Empire and SPP shall submit responses to Staff-issued Data Requests in EFIS, if feasible. If submission of responses to Staff-issued Data Requests in EFIS is infeasible, then Empire and SPP shall submit to Staff, responses in electronic format, on compact disc, or by other means agreed to by Staff counsel.

7. Workpapers that were prepared in the course of developing a witness' direct, rebuttal, surrebuttal, or cross-surrebuttal testimony shall not be filed with the Commission, but, without request, shall be submitted to each Party within two business days after the particular testimony is filed. Workpapers, or a complete set of workpapers, need not be submitted to a Party that has indicated it does not want to receive workpapers, or a complete set of workpapers. If there are no workpapers associated with testimony, the Party's attorney shall so notify the other Parties within the time allowed for providing workpapers. Workpapers containing highly confidential or proprietary information shall be appropriately marked.

8. Where workpapers or Data Request responses include models, spreadsheets, or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs or outputs, the Party providing the workpapers or responses shall provide such information in original format with formulas intact, if available.

**WHEREFORE** the Staff, on behalf of the Parties in File No. EO-2013-0269, files the instant *Jointly Proposed Procedural Schedule and Procedures*.

Respectfully submitted,

**/s/ Dean L. Cooper**

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document, *Jointly Proposed Procedural Schedule and Procedures*, was served via e-mail on all counsel of record this 6<sup>th</sup> day of June, 2013.

**/s/ Meghan Woolery**