

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

In the Matter of the Request of Liberty)	
Utilities (Midstates Natural Gas) Corp.)	
d/b/a Liberty to Implement a General Rate)	<u>File No. GR-2024-0106</u>
Increase for Natural Gas Service in the)	Tracking No. JG-2024-0111
Missouri Service Areas of the Company)	

JOINT PROPOSED PROCEDURAL SCHEDULE

COMES NOW the Staff of the Missouri Public Service Commission (Staff), Liberty Utilities (Midstates Natural Gas) d/b/a Liberty (“Liberty Midstates”), Office of the Public Counsel (“OPC”), and the Missouri School Boards’ Association (“MSBA”), by and through undersigned counsel, propose the following procedural schedule:

1. The undersigned parties recommend that the Commission adopt the following Procedural Schedule:

EVENT	DATE
Discovery Conference	April 15, 2024
LU to provide update info (through 12/31/2023) (Accounting schedules that support a specific updated revenue requirement for the Company using actual 12/31/2023 data & be produced through DRs)	May 15, 2024
Technical Conference on Transportation Tariff	April 30, 2024
Discovery Conference	May 13, 2024
Technical Conference on Transportation Tariff	May 28, 2024
Discovery Conference	June 10, 2024
Technical Conference on Transportation Tariff	July 1, 2024
Discovery Conference	July 15, 2024
Direct testimony – Revenue Requirement (COS) (All parties except Liberty Midstates) (Response time for data requests changes to 10 calendar days and 5 calendar days to object or notify of the need for additional time to respond)	July 18, 2024
Direct testimony – Class Cost of Service and Rate Design (all parties except Liberty Midstates)	August 1, 2024
Technical & Settlement Conference	August 14, 2024
Discovery Conference	August 15, 2024
Rebuttal Testimony	August 22, 2024

(Response time to data requests changes to 5 business days and 3 business days to object or notify of the need for additional time to respond)	
Technical Conference on Transportation Tariff	August 23, 2024
Technical & Settlement Conference	September 9 – 10, 2024
Discovery Conference	September 12, 2024
Surrebuttal and Cross-Surrebuttal Testimony	September 19, 2024
Preliminary Issues List, Order of Witnesses, Opening Statements, and Cross Examination, and Reconciliation Circulated among Parties (Not Filed)	September 20, 2024
Settlement Conference	September 26 – 27, 2024
List of Issues, List of Exhibits, Order of Witnesses, Opening Statements, and Cross Examination - Filed	September 27, 2024
Last Day to Request Discovery Except for Rate Case Expense	October 1, 2024
Parties to Submit Final Valuation of Positions to Staff for Final Reconciliation	October 1, 2024
Discovery Conference and Procedural Conference if Necessary	October 2, 2024
Last Day to Take Deposition or File Discovery Motions	October 4, 2024
Statements of Position	October 4, 2024
Reconciliation	October 10, 2024
Evidentiary Hearing	October 15 – 18, 2024 October 21 – 22, 2024
Initial Post-Hearing Briefs	November 15, 2024
Last Day to Request Rate Case Expense Discovery	November 22, 2024
Reply Briefs and Update Briefs	November 26, 2024
Proposed Adjustments to Rate Case Expense (if any)	December 16, 2024
End of Suspension Period/Effect of Law Date	January 8, 2025

2. The undersigned parties recommend the Commission direct the parties to work with the Commission to identify dates for local public hearings in late August or early September 2024.

3. The undersigned parties recommend that the Commission adopt the following order regarding Technical and Settlement Conferences:

A. Parties interested in participating in the Technical Conferences regarding the proposed Transportation Tariff shall meet and confer in good faith prior to those Technical Conference to develop an agenda. At all Technical Conferences

regarding the proposed Transportation Tariff, the parties shall appear in person or remotely with a knowledgeable subject matter expert capable of discussing items identified in the agenda.

B. For all Settlement Conferences, all parties shall appear in person or remotely by attorney and by a representative with settlement authority on behalf of the party.

4. The undersigned parties recommend that the Commission adopt the following Discovery Conditions:

A. The Parties shall provide all workpapers, in electronic format, within two (2) business days following the date on which the related testimony is filed. Workpapers containing confidential information shall be appropriately marked pursuant to Commission Rule 20 CSR 4240-2.135. 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.

B. 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, 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. Liberty Midstates shall provide its workpapers to Parties in electronic format by e-mailing or by delivery of a compact disc or other electronic storage or file sharing agreed to by Staff counsel or any other party.

C. All Parties shall provide copies of testimony, schedules, exhibits, and pleadings to other counsel of record by electronic means and in electronic form essentially concurrently with the filing of such testimony, schedules, exhibits, or pleadings where the information is available in electronic format. Parties shall not be required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.

D. Discovery Requests shall be governed by Commission Rules except as follows:

1. Beginning the date of Direct Testimony on Revenue Requirement by non-utility parties, proposed above as July 18, 2024, the response time for data requests shall be ten (10) calendar days to provide the requested information and five (5) business days to object or to notify the requesting party that more than ten (10) calendar days will be required to provide the requested information.

2. Beginning the date of Rebuttal Testimony, proposed above as August 22, 2024, the response time for all data requests shall be five (5) business days to provide the requested information and three (3) business days to object or to notify the requesting party that more than five (5) calendar days will be required to provide the requested information. Discovery of Rate Case Expense issued after September 27, 2024, shall be responded to within five (5) business days, and all supplemental responses thereto shall be provided no later than December 16, 2024.

3. Discovery Conferences will be held in Room 305 at the Commission's office at the Governor's Office Building, 200 Madison Street,

Jefferson City Missouri, with remote connectivity via Webex to be provided upon any party's request. Each Discovery Conference will begin at 10:00 a.m.

4. At least three (3) business days before each discovery conference, any party that has a discovery disagreement or concern shall file a brief statement describing that disagreement or concern and identifying any other parties involved. Such statement does not need to be a formal discovery motion. Any party may attend a discovery conference, but only those parties involved in an identified discovery disagreement must attend. If the parties do not identify any discovery disagreements or concerns as described herein, the presiding officer may cancel the conference.

5. If a moving party has already conferred or attempted to confer with opposing counsel concerning a discovery matter, that party may file any discovery motions to be entertained at the discovery conference at least three (3) business days in advance. The requirement under 20 CSR 4240- 2.090(8)(B) that a party seek a telephone conference with the presiding officer shall not apply to any discovery motion to be raised at a Discovery Conference. Any party seeking a hearing on any discovery motion outside of a regularly scheduled discovery conference shall comply with 20 CSR 4240-2.090(8) prior to filing the discovery motion.

6. Discovery Conferences shall be on the record and transcribed by a court reporter.

7. Any pending written discovery motion may be taken up at a discovery conference and may be ruled upon by the presiding regulatory law judge either on the record, or in a written order.

8. Commission Rule 20 CSR 4240-2.090's requirement that a party must seek a telephone conference with the presiding officer before filing a discovery motion is waived.

5. The undersigned parties recommend that the Commission adopt the following additional procedural rules:

A. For the Preliminary List of Issues on September 20, 2024, the parties shall attempt in good faith to agree and file a joint list of issues detailed enough to inform the Commission of each issue that must be resolved. If the parties cannot so agree to a list of issues, order of witnesses, order of cross examination, or order of opening statements, the parties shall file a list of the issue with agreed-upon phrasing and a list of issues wherein the phrasing is in dispute, with a position of each party position no later than September 27, 2024, and the Regulatory Law Judge shall hold a conference on October 2, 2024 to resolve such disputes, after which the parties shall prepare a list of issues, order of witnesses, and order of cross examination in compliance with the Regulatory Law Judge's decision for the Regulatory Law Judge's approval on October 4, 2024.

B. For the Statements of Position to be filed October 4, 2024, each party shall file a simple and concise statement summarizing its position on each disputed issue, including citations to pre-filed testimony supporting its position.

C. All parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel 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 (.PDF, .DOC, .WPD, .XLS, etc.). Parties are

not required to put information that does not exist in electronic format into electronic format for purposes of exchanging.

D. Public documents filed in 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 email.

E. Any data requests issued to or by Staff shall be submitted and responded to in the Commission's Electronic Filing and Information System (EFIS) pursuant to 20 CSR 4240-2.090(2)(H). All data requests other than those issued to or by Staff, as well as all objections to data requests, or notifications of the need for additional time to respond, shall be sent by e-mail to counsel for the other parties. Counsel for each party shall receive electronically, via either EFIS notification or e-mail from the party serving a data request, an electronic copy of the text of the "description" of that data request contemporaneously with service of the data request. Regarding data requests issued via EFIS, 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, thereby providing the responding party the opportunity to object. 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. If any party responds to a data request in EFIS, the response is available in EFIS to all counsel on the certified service list. Data request responses, other than

responses to data requests in EFIS, 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 responses to data requests Staff issues, Liberty Midstates 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.

F. Rate case expense associated with Case No. GR-2024-0106 may be examined through the scheduled date for filing of reply briefs and adjustments may be proposed accordingly in a pleading not to exceed five (5) pages, including attachments, filed no later than December 16, 2024.

WHEREFORE, the undersigned parties respectfully request the Commission order the procedural schedule identified above.

Respectfully submitted,

/s/ J. Scott Stacey

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**ATTORNEYS FOR OFFICE
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been transmitted by electronic mail to counsel of record this 3rd day of April, 2024.

/s/ J. Scott Stacey