

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

In the Matter of the Request of Liberty Utilities)
(Missouri Water) LLC d/b/a Liberty for Authority to) **File No. WR-2024-0104**
Implement a General Rate Increase for Water and)
Wastewater Service Provided in its Missouri)
Service Areas)

JOINT PROPOSED PROCEDURAL SCHEDULE

COMES NOW the Staff (“Staff”) of the Missouri Public Service Commission (“Commission”), by and through counsel, and states that on March 13, 2024, Liberty Utilities (Missouri Water) LLC d/b/a Liberty (“Liberty” or “the Company”) filed a request for authority to implement general rate increases for water and wastewater service. On behalf of itself, Liberty, the Office of the Public Counsel (“OPC”), the City of Bolivar, and Holiday Inn Club Vacation, Inc. (collectively, “Parties”), Staff respectfully proposes the following Joint Proposed Procedural Schedule:

Proposed Procedural Schedule

1. The Parties request that the Commission adopt the following Procedural Schedule:

<u>EVENT</u>	<u>DATE</u>
Filing Date	March 13, 2024
Discovery Conference	May 20, 2024
Discovery Conference	June 17, 2024
Liberty to Provide Update through April 30, 2024	July 1, 2024
Discovery Conference	July 15, 2024
Discovery Conference	August 16, 2024
Direct Testimony-Revenue Requirement—Non-Company	August 20, 2024
Direct Testimony-Rate Design—Non-Company	September 10, 2024
Discovery Conference	September 12, 2024
Local Public Hearings	September 15- October 15, 2024 ¹

¹ While the Parties have agreed on a date range for local public hearings to be held, they are in disagreement about the locations and number of local public hearings that should be held. The Parties may file a separate pleading from this *Joint Proposed Procedural Schedule* regarding local public hearings.

Technical Conference	September 17, 2024
List of Issues (Among Parties)	September 17, 2024
Rebuttal Testimony	September 27, 2024
Technical/Settlement Conference	October 9-10, 2024
Discovery Conference	October 15, 2024
Surrebuttal Testimony	October 24, 2024
Settlement Conference	October 30, 2024
List of Issues, Etc.	November 1, 2024
Non-Utility Parties Values of Issues for Reconciliation	November 4, 2024
Last Day to Request Discovery	November 4, 2024
Position Statements	November 8, 2024
Last Day for Discovery Responses	November 12, 2024
Reconciliation Filed	November 13, 2024
Evidentiary Hearing	November 18-22, 2024
Initial Briefs	December 18, 2024
Last Day to Request Rate Case Expense Discovery	December 23, 2024
Reply Briefs	January 7, 2025
Proposed Adjustments to Rate Case Expense (if any)	January 7, 2025
Operation of Law	February 10, 2025

Discovery Procedures

2. The Parties request that the Commission adopt the following procedures regarding discovery:

- 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 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.
- b. Parties shall make all reasonable efforts to not include confidential information in data requests. If confidential information must be included in data requests, the confidential information will be appropriately designated as such pursuant to 20 CSR 4240-2.135.
- c. Data requests issued to or by Staff shall be submitted and responded to in the Commission’s Electronic Filing and Information System (“EFIS”), if feasible, or in electronic format on compact disc or by other means agreed to by counsel, if infeasible. Counsel for each party shall receive electronically from each other 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 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 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.

- d. Until August 19, 2024, the response time for all data requests shall be 20 calendar days, and 10 calendar days to object or notify that more than 20 calendar days will be needed to provide the requested information. Starting August 20, 2024, the response time for data requests shall be 10 calendar days to provide the requested information, and 5 business days to object or notify that more than 10 calendar days will be needed to provide the requested information. After the filing of Rebuttal testimony (September 27, 2024), the response time for data requests shall be 5 business days to provide the requested information, and 3 business days to object or notify that more than 5 business days will be needed to provide the requested information. Data requests sent after 5:00 pm on Monday-Friday or on a weekend or state/federal holiday will be considered served on the next business day. The Commission may rule on discovery motions filed after Surrebuttal testimony is filed without holding the conference required by 20 CSR 4240- 2.090(8)(B).
- e. Workpapers prepared in the course of developing a witness' testimony (including schedules) and exhibits shall not be filed with the Commission, but shall be submitted to each party within 2 business days following the filing of the particular testimony, 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. Counsel shall undertake to advise other counsel if the sponsored witness has no workpapers related to the round of testimony.
- f. 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 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. Workpapers shall be provided in electronic format by e-mailing or by delivery of a compact disc or other electronic storage media.

- g. Documents filed in EFIS shall be considered properly served by serving the same on counsel of record for all other parties via e-mail.
- h. With regard to discovery conferences,
 - Discovery conferences will be held in Room 305 beginning at 10:00 a.m., 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.
 - Not less than three (3) business days before each discovery conference, any party that has a discovery disagreement or concern involving another party 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 motion to compel. 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.
 - Discovery conferences shall be on the record and shall be transcribed by a court reporter.
 - 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.

WHEREFORE, on behalf of the Parties, Staff respectfully proposes this procedural schedule in compliance with the Commission's March 15, 2024 order.

Respectfully submitted,

/s/ Casi Aslin

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**Attorney for the Staff of the
Missouri Public Service Commission**

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile, or electronically mailed to all parties and/or counsel of record on this 24th day of April, 2024.

/s/ Casi Aslin