

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

In the Matter of Missouri-American Water Company’s Request)
for Authority to Implement a General Rate Increase for) **File No. WR-2024-0320**
Water and Sewer 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 July 1, 2024, Missouri-American Water Company (“MAWC” or “the Company”) filed a request for authority to implement general rate increases for water and wastewater service. On behalf of itself and MAWC, Staff respectfully proposes the following Joint Proposed Procedural Schedule:

Proposed Procedural Schedule

1. Staff and MAWC are mindful of the Commission’s discussion concerning a desire for improved rate case procedures during its July 31, 2024 Agenda Meeting. Staff and MAWC have modeled their proposed schedule after a process used before the Kansas Corporation Commission. During the July 31, 2024 Agenda Meeting, Chair Hahn discussed a ten-month procedural schedule, cutting one month off the traditional rate case procedural schedule. However, due to the timing of procedural schedule discussions relating to MAWC’s preparation of its rate case to include the timing of planned construction projects, Staff and MAWC find a shortened schedule impractical in this instance. However, Staff and MAWC have worked diligently to develop a procedural schedule that will introduce new rate case procedures, allow for reflection on these changes at the conclusion of this case, and potentially lead to improved and shortened rate case procedural schedules in the future.

2. Accordingly, Staff and MAWC request that the Commission adopt the following Procedural Schedule:

<u>EVENT</u>	<u>DATE</u>
Filing Date	07/01/2024
Discovery Conference	09/13/2024
Discovery Conference	10/16/2024
Local Public Hearings	10/28/2024—11/8/2024 ¹
Technical Conference	11/14/2024
Non-Company Revenue Requirement Direct And Rebuttal	12/06/2024
Discovery Conference	12/12/2024
Technical Conference	12/17/2024
Non-Company CCOS & Rate Design Direct and Rebuttal	12/20/2024
Non-Company Cross Rebuttal/ Surrebuttal	01/10/2025
Discovery Conference	01/14/2025
Company Rebuttal/Surrebuttal/Sur-Surrebuttal ²	01/24/2025
List of Issues, Order or Witnesses, Order of Opening, and Order of Cross	01/30/2025
True-Up Data Provided to All Parties	01/31/2025
Last Day to Request Main Case Discovery	02/03/2025
Parties Provide Valuation of Positions to Staff for Reconciliation	02/06/2025
Last Day to Object to Discovery	02/07/2025
Statement of Positions	02/10/2025
Reconciliation	02/11/2025
Settlement Conference	02/13/2025—02/14/2025
Evidentiary Hearing	02/24/2025—03/07/2025
True-Up Direct	03/11/2025
Last Day to Request True-Up Discovery	03/24/2025
Initial Briefs	03/27/2025
True-Up Hearing	04/01/2025
Reply and True-Up Briefs	04/10/2025
Operation of Law	05/28/2025

3. Staff and MAWC propose local public hearings be conducted earlier in the process so that the parties will be able to address public comments in pre-filed testimony and give greater attention to testimony filings as they become due. However, given the

¹ Excluding October 30-November 1.

² It is intended that this round of testimony will respond to Non-Company Direct, Rebuttal and Surrebuttal.

early date of these local public hearings, MAWC would need to have a final order setting forth dates, times and locations for the local public hearings by September 6, 2024, so MAWC can print and mail the hearing notices in a timely manner.

Discovery Procedures

4. 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. Starting December 6, 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. Starting January 10, 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 1:00 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 the last round of 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 itself and MAWC, Staff respectfully proposes this procedural schedule in compliance with the Commission’s July 30, 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 5th day of August, 2024.

/s/ Casi Aslin