

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 7th day of August, 2024.

In the Matter of Missouri-American Water)
Company's Request for Authority to Implement) **File No. WR-2024-0320**
a General Rate Increase for Water and Sewer)
Service Provided in Missouri Service Areas)

ORDER SETTING PROCEDURAL SCHEDULE

Issue Date: August 7, 2024

Effective Date: August 7, 2024

On July 30, 2024, the Commission issued an *Order Directing Proposed Procedural Schedule*, which directed the Staff of the Commission (Staff) to file a joint proposed procedural schedule on behalf of all of the parties. If all of the parties could not agree on a joint proposed procedural schedule, parties were allowed to file separate proposed procedural schedules.

On August 5, 2024, three separate proposed procedural schedules were filed by the following parties: (1) Staff and Missouri-American Water Company (MAWC or “the Company”); (2) Midwest Energy Consumers Group (MECG); and (3) the Office of the Public Counsel, Missouri Industrial Energy Consumers (MIEC), the Consumers Council of Missouri, and AARP. No other parties filed a proposed procedural schedule.¹

The Commission finds the proposed procedural schedule submitted by Staff and MAWC reasonable and will adopt it with modifications to the evidentiary hearing dates

¹ The other parties are Triumph Foods, LLC; the City of Riverside, Missouri; Public Water Supply Districts No. 1 & 2 of Andrew County, The Empire District Electric Company d/b/a Liberty, and the City of St. Joseph, Missouri.

due to a Commission conflict on the proposed dates. As a result, the Commission will also modify the proposed deadline dates subsequent to the evidentiary hearing. The Commission will also address additional procedural matters.

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is established:

Discovery Conference	September 13, 2024
Discovery Conference	October 16, 2024
Local Public Hearings (to be determined)	October 28 to November 8, 2024²
Technical Conference	November 14, 2024
Non-Company Revenue Requirement Direct and Rebuttal	December 6, 2024
Discovery Conference	December 12, 2024
Technical Conference	December 17, 2024
Non-Company CCOS & Rate Design Direct and Rebuttal	December 20, 2024
Non-Company Cross Rebuttal/Surrebuttal	January 10, 2025
Discovery Conference	January 14, 2025
Company Rebuttal/Surrebuttal/ Sur-Surrebuttal ³	January 24, 2025
List of Issues, Order of Witnesses, Order of Opening Statements, and Order of Cross Examination	January 30, 2025
True-Up Data Provided to All Parties	January 31, 2025
Last Day to Request Main Case Discovery	February 3, 2025

² Excluding October 30 to November 1.

³ Responding to Non-Company Direct, Rebuttal, and Surrebuttal.

Parties Provide Valuation of Positions to Staff for Reconciliation	February 6, 2025
Last Day to Object to Discovery	February 7, 2025
Statements of Position	February 10, 2025
Reconciliation	February 11, 2025
Settlement Conference	February 13-14, 2025
Evidentiary Hearing	February 27-28, March 3-7, and March 10-12, 2025
True-Up Direct	March 14, 2025
Last Day to Request True-Up Discovery	March 27, 2025
Initial Briefs	March 31, 2025
True-Up Hearing	April 4, 2025
Reply Briefs and True-Up Briefs	April 14, 2025
Operation of Law	May 25, 2025

2. The parties are directed to work with the presiding judge to identify dates for local public hearings to take place within the above-listed time frame. No later than August 21, 2024, Staff shall file a proposal for local public hearing dates and locations on behalf of all joining parties. Any parties submitting an alternative proposal shall do so no later than August 23, 2024.

3. The parties shall comply with the following discovery procedures:

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 ten calendar days to provide the requested information, and five business days to object or notify that more than ten calendar days will be needed to provide the requested information. Starting January 10, 2024, the response time for data requests shall be five business days to provide the requested information, and three business days to object or notify that more than five 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 Commission Rule 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 two 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:
 - (1) 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.
 - (2) Not less than three 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.

- (3) Discovery conferences shall be on the record and shall be transcribed by a court reporter.
- (4) Any pending written discovery motion may be taken up at a discovery conference and may be ruled upon by the presiding judge either on the record, or in a written order.

4. The Parties shall comply with the following procedures:

- A. The parties shall agree upon and Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing, the order in which they will be called, the order of party cross-examination for each witness, and the order of opening statements. The list of issues shall be stated with particularity. If the parties are unable to agree to an issues list, each party shall file a separate issues list.
- B. Each party shall file a simple and concise statement summarizing its position on each disputed issue. Position statements shall track the list of issues. Any position statement shall set forth any order requested, cite any law authorizing that relief, and allege facts relevant under that law with citations to any pre-filed testimony in support.
- C. All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 20 CSR 4240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the unresolved issues that the parties believe require decision by the Commission.
- D. All parties shall bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has not been pre-filed, the party offering it must bring, in addition to the copy for the court reporter, copies for the five Commissioners, the presiding judge, and all counsel.
- E. Exhibit numbers are assigned in the following manner:

Missouri-American Water Company	1-199
Commission Staff	200-299
Office of the Public Counsel	300-399

Missouri Industrial Energy Consumers	400-449
Consumers Council of Missouri	450-499
Midwest Energy Consumers Group	500-549
Triumph Foods	550-599
AARP	600-649
City of Riverside	650-699
PWSD 1 & 2 of Andrew County	700-749
The Empire District Electric Co. d/b/a Liberty	750-799
City of St. Joseph	800-849

8. This order is effective when issued.



BY THE COMMISSION

Nancy Dippell

Nancy Dippell
Secretary

Hahn, Ch., Coleman, Holsman
Kolkmeier, and Mitchell CC., concur.

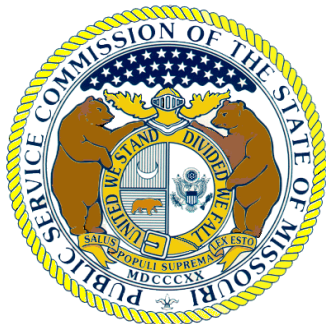
Seyer, Regulatory Law Judge

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 7th day of August 2024.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

August 7, 2024

File/Case No. WR-2024-0320

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,

A handwritten signature in black ink that reads "Nancy Dippell". The signature is written in a cursive, flowing style.

**Nancy Dippell
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.