

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

In the Matter of the Second Prudence)
Review of the Missouri Energy Efficiency)
Investment Act (MEEIA) Cycle 2 Energy) **File No. EO-2019-0376**
Efficiency Programs of Union Electric)
Company d/b/a Ameren Missouri)

ORDER ADOPTING PARTIAL PROCEDURAL SCHEDULE

Issue Date: December 16, 2019

Effective Date: December 16, 2019

On June 3, 2019, the Staff of the Commission (Staff) submitted a notice that it had begun the prudence review of the Missouri Energy Efficiency Investment Act (MEEIA) Cycle 2 energy efficiency programs of Union Electric Company d/b/a Ameren Missouri (Ameren Missouri). On October 30, 2019, Staff filed its report for that prudence review, recommending a total disallowance of \$194,451. Ameren Missouri objected to the disallowances and requested a hearing. On December 5, 2019, Ameren Missouri, on behalf of itself, Staff, and the Office of the Public Counsel (OPC), filed a proposed procedural schedule and additional procedural requirements.

Due to Commission scheduling conflicts, the Commission cannot set the hearing dates as proposed by the parties. However, the Commission will adopt the first portion of the proposed procedural schedule and a majority of the additional procedural requirements as proposed by the parties with some additional revisions for clarity. The Commission has changed the filing date for rebuttal testimony to avoid the President's Day state holiday. Additionally, the telephone conference requirement in 20 CSR 4240-2.090 is not waived. The Commission will set the remaining portions of the procedural schedule at a later date.

THE COMMISSION ORDERS THAT:

1. The following partial procedural schedule is established:

Staff Direct Testimony	December 20, 2019
Ameren Missouri/OPC Rebuttal Testimony	February 18, 2020
Settlement Conference	March 19, 2020

2. The parties shall comply with the following procedural requirements. Dates for filing the issues lists, position statements, and other items not set out in Ordered Paragraph 1 above, shall be set at a later date:

- (A) Testimony shall be prefiled as defined in Commission Rule 20 CSR 4240-2.130. All parties must comply with this rule, including the requirement that testimony be filed on line-numbered pages.
- (B) Although not all parties may agree upon how each issue should be described, or on whether a listed issue is in fact a proper issue, 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, and the order of cross-examination for each witness. The list of issues should be detailed enough to inform the Commission of each issue that must be resolved. The Commission will view any issue not contained in this list of issues as uncontested and not requiring resolution by the Commission.
- (C) 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 the law with citations to any pre-filed testimony in support.
- (D) 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 remaining unresolved issues that are to be decided by the Commission.
- (E) If testimony or documents are prefiled and served upon the parties before a hearing, a party need only provide a copy of the testimony or document to the court reporter to be marked as an exhibit at the hearing. If not prefiled and served upon the parties, then a party who has a document marked for

use at the hearing shall have sufficient copies of the document to provide a copy not only to the court reporter, but also to each Commissioner, the Presiding Officer, and counsel for each other party.

- (F) 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.
- (G) Public documents filed in the Commission's Electronic Filing and Information System (EFIS) shall be considered properly served by serving those documents on counsel of record for all other parties via e-mail. To provide additional security, confidential documents are considered served when filed in EFIS and shall not be served via e-mail.
- (H) With regard to data requests:
 - i. Each party serving a data request shall send an electronic copy of the text of the "description" of that data request to counsel for each party contemporaneously with service of the data request.
 - ii. Data requests issued to or by Staff shall be submitted and responded to in EFIS if feasible. If infeasible, data requests issued to or by Staff shall be submitted and responded to in electronic format on compact disc or by other means agreed to by counsel. Additionally, if the description of a Staff-issued data request contains confidential information or is voluminous, a hyperlink to the EFIS record of that data request shall be considered a sufficient copy.
 - iii. 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.
 - iv. 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 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.
 - v. 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.

vi. Ameren Missouri shall post its data request responses on its Caseworks Extranet site; however, Ameren Missouri shall also submit the responses to Staff-issued data requests in EFIS, if feasible. If infeasible, those responses shall be submitted in electronic format on compact disc or by other means agreed to by Staff counsel.

vii. The parties shall make an effort to not include confidential information in data requests. If confidential information must be included in a data request, the confidential information shall be appropriately designated as such pursuant to Commission Rule 4 CSR 240-2.135.

viii. The response time for all data requests shall be fifteen (15) calendar days, with five (5) calendar days to object or notify the requesting party that more than fifteen (15) days will be needed to provide the requested information. If a data request has been responded to, a party's request for a copy of the response shall be timely responded to without waiting the full response time allowed (except that, with the exception of responses to Staff, responses will not be needed for Ameren Missouri data request responses posted on Ameren Missouri's Caseworks Extranet site).

(I) With regard to workpapers:

i. Workpapers prepared in the course of developing a testimony shall not be filed with the Commission, but shall be submitted to each party within two (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.

ii. Workpapers containing confidential information shall be appropriately marked.

iii. 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.

iv. With the exception of workpapers provided to Staff, Ameren Missouri may provide workpapers by posting the same on its Caseworks Extranet site, with e-mail notification to counsel for the parties to be provided essentially concurrently with the posting of workpapers on the Extranet site. Ameren Missouri shall provide its workpapers to Staff in electronic format by e-mailing or by delivery of a compact disc or other electronic storage.

(J) 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, the party providing the workpaper or response shall provide this type of information in the original format, if available, with formulas intact.

(K) The settlement conference provided for in the procedural schedule may be postponed or cancelled by consensus of the parties without further order of the Commission.

(L) Exhibit numbers are assigned in the following manner:

Ameren Missouri	1-99
Commission Staff	100-199
Office of the Public Counsel	200-299

(M) Each party shall prepare a list of its pre-filed, pre-marked exhibits and submit a copy of that list to every other party and to the regulatory law judge as set out above. The lists shall not be filed in the EFIS case file. Exhibits that may be offered during cross-examination, but which have not been pre-filed, need not be included on the list. However, when those documents are offered during the hearing, they will be assigned a number from that party's number group.

4. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in dark ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Nancy Dippell, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 16th day of December, 2019.

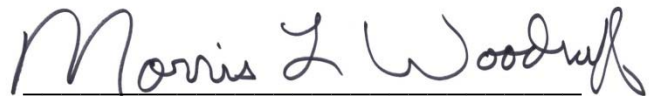
STATE OF MISSOURI

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 16th day of December 2019.**




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

December 16, 2019

File/Case No. EO-2019-0376

**Missouri Public Service
Commission**

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

Sincerely,



**Morris L. Woodruff
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.