

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 21th day of
July, 2022.

In the Matter of the Application of Jerry L.)
Countryman for Change of Electric)
Supplier from Empire District Electric)
Company d/b/a Liberty to White River)
Valley Electric Cooperative, Inc.) **File No. EO-2022-0226**

ORDER SETTING PROCEDURAL SCHEDULE

Issue Date: July 21, 2022

Effective Date: July 21, 2022

On February 25, 2022, Jerry L. Countryman filed an *Application for Change of Electrical Service Provider* (“Application”) with the Commission requesting a change of electric supplier from The Empire District Electric Company d/b/a Liberty to White River Valley Electric Cooperative, Inc. (White River).

On June 29, 2022, the Commission ordered the parties to collaborate on a joint procedural schedule to be filed by the Staff of the Commission (Staff). On July 14, 2022, Staff filed a proposed procedural schedule on behalf of all parties. The Commission will adopt the procedural schedule proposed by the parties.

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is established:

Direct Testimony	-	August 1, 2022
Rebuttal Testimony	-	August 22, 2022
Surrebuttal Testimony	-	September 19, 2022
Last Day to Request Discovery	-	September 29, 2022

Stipulation of Facts	-	September 21, 2022
List of Issues, Order of Opening Statements, Witnesses, and Cross Examination	-	September 23, 2022
Statements of Position	-	September 27, 2022
Evidentiary Hearing	-	October 3, 2022
Initial Post-Hearing Briefs	-	October 31, 2022
Reply Briefs	-	November 14, 2022

2. The parties shall comply with the following procedures:
 - (a) All parties must comply with the requirements of Commission Rule 20 CSR 4240-2.130 for prepared testimony, including the requirement that testimony be filed on line-numbered pages.
 - (b) All parties will 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.
 - (c) Parties must try to not include in data request questions either highly confidential or proprietary information. If either highly confidential or proprietary information must be included in data request questions, the highly confidential or proprietary information will be appropriately designated as such pursuant to Rule 20 CSR 4240-2.135.
 - (d) When serving a data request, the party serving the request will send to counsel for each party 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 highly confidential or proprietary information or is voluminous, a hyperlink to the Commission’s Electronic Filing Information System (EFIS) record of that data request is 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 shall request a copy of the response from the party answering the data request. Data requests, objections to data requests, and notifications respecting the need for additional time to respond to data requests will 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 assumes responsibility for compliance with any restrictions on confidentiality. Data request responses shall be served electronically, if feasible and not voluminous as defined by Commission rule, on counsel for the requesting party, unless counsel for the requesting party requests otherwise in writing. Responses to Staff data requests must be submitted in EFIS, if feasible, or in electronic format on compact disc or by other means agreed to by Staff counsel, if infeasible. All data requests to Staff must be submitted in EFIS.

- (e) For data requests issued prior to the order that establishes the procedural schedule in this case, 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. For data requests issued after the order that establishes the procedural schedule in this case issues, 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. Data requests issued after 5:00 pm will be considered served on the next business day.
- (f) Workpapers that were prepared in the course of developing a witness' testimony will not be filed with the Commission, but copies of them will be sent to each party within 2 business days following the filing of the particular testimony without further request. Workpapers containing highly confidential or proprietary information shall be appropriately marked. Since workpapers for certain parties may be voluminous and generally not all parties are interested in receiving workpapers or a complete set of workpapers, a party shall be relieved of providing workpapers to those parties indicating that they are not interested in receiving workpapers or a complete set of workpapers. 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.
- (g) 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 outputs, if available in that original format, the party providing the workpaper or response shall provide such information in original format with all formulae intact.
- (h) Documents filed in EFIS shall be considered properly served. Parties will not be required to serve confidential information by email.
- (i) 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 in this case, the parties shall agree upon and 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 not requiring resolution by the Commission.

- (j) 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.
- (k) 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.
- (l) 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 for marking as an exhibit. 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 of the Commissioners, the presiding officer, and counsel for each other party.

3. The hearing shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

4. Parties and witnesses may appear in person or remotely via WebEx. Parties wishing to appear via WebEx may request WebEx invitations for themselves and/or witnesses by providing email addresses for such persons to Jackie.Keely@psc.mo.gov no later than September 29, 2022.

5. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive style with a large, prominent "M" and "W".

Morris L. Woodruff
Secretary

Silvey, Chm., Rupp, Coleman, Holsman, and
Kolkmeier 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 21st day of July, 2022.





Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

July 21, 2022

File/Case No. EO-2022-0226

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White River Valley Electric Cooperative, Inc.
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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.