

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

In the Matter of the Application of a Rate)
Increase for Raccoon Creek Utility Operating)
Company Inc.)

Case No. SR-2016-0202

**ORDER ESTABLISHING PROCEDURAL SCHEDULE
AND OTHER PROCEDURAL REQUIREMENTS**

Issue Date: September 20, 2016

Effective Date: September 20, 2016

On September 19, 2016, the Staff of the Missouri Public Service Commission (Staff) filed a proposed procedural schedule, including recommendations for additional procedural requirements. Staff indicated that Raccoon Creek Utility Operating Company and the Office of the Public Counsel had expressed that they are not opposed to the dates proposed by Staff. Additionally, other discovery conditions were requested by Staff to accommodate the quick response needed for the procedural schedule. Because the parties have agreed to the dates and procedures, the Commission will adopt the proposed procedural schedule with the additional procedural requirements set out in Staff's Appendix A to the Proposed Procedural Schedule.

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is established:

Date (2016)	Event
September 30	Direct Testimony of All Parties
October 5	Local Public Hearing (previously set)
October 13	Rebuttal Testimony of All Parties
October 14	List of Issues; List Witnesses; Order of Cross Examination; and Order of Opening Statements
October 17	Statement of Positions
October 20-21	Evidentiary Hearing (previously set)
November 7	Initial Briefs
November 18	Reply Briefs

2. The following discovery conditions, as agreed to by the parties, shall apply:

- A. All workpapers shall be provided, in electronic format, whenever feasible, within two business days following the date on which the related testimony is filed.
- B. 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 the original format.
- C. With respect to data requests after direct testimony is filed, response time for all data requests shall be five (5) calendar days, with two (2) business days to object or notify the requesting party how much additional time will be required for response.

3. The parties shall also comply with the following additional procedural requirements:

- A. All filings made through the Commission's Electronic Filing and Information System (EFIS) will be timely filed if filed before midnight on the date the filing is due. Documents filed in EFIS are considered properly served by serving the same on counsel of record for all other parties via e-mail essentially contemporaneously with the EFIS filing.

- B. Testimony shall be pre-filed as defined in Commission Rule 4 CSR 240-2.130. All parties must comply with this rule, including the requirement that testimony be filed on line-numbered pages.
- C. 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.
- D. Each party shall file a simple and concise statement summarizing its position on each disputed issue.
- E. All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 4 CSR 240-2.080. 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.
- F. 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.

G. The parties shall pre-number their hearing exhibits sequentially with individual party designation, as follows by example:

a) Utility Exhibit No. 1, Utility Exhibit No. 2, Utility Exhibit No. 3, etc.

b) OPC Exhibit No. 1, OPC Exhibit No. 2, OPC Exhibit No. 3, etc.

c) Staff Exhibit No. 1, Staff Exhibit No. 2, Staff Exhibit No. 3, etc.

4. 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 no later than October 18, 2016. The lists shall not be filed in the EFIS case file. Exhibits that may be offered during cross-examination but have not been pre-filed need not be included on the list.

5. This order shall be effective when issued.



BY THE COMMISSION

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

Morris L. Woodruff
Secretary

Nancy Dippell, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 20TH day of September, 2016.