# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Ameren Transmission	)	
Company of Illinois for Other Relief or, in the Alternative,	)	
a Certificate of Public Convenience and Necessity	)	
Authorizing it to Construct, Install, Own, Operate,	)	File No. EA-2015-0146
Maintain and Otherwise Control and Manage a	)	
345,000-volt Electric Transmission Line from Palmyra,	)	
Missouri, to the Iowa Border and Associated Substation	)	
Near Kirksville, Missouri. <sup>1</sup>	)	

# JOINTLY PROPOSED PROCEDURAL SCHEDULE

COME NOW Ameren Transmission Company of Illinois (ATXI), the Staff of the Missouri Public Service Commission (Staff), the Office of the Public Counsel (OPC), United For Missouri (UFM), the Missouri Industrial Energy Consumers (MIEC"), Midcontinent Independent System Operator, Inc. (MISO) and IBEW Local 1439 (IBEW), being all but one of the parties to this docket, and hereby submit this Jointly Proposed Procedural Schedule, and in support thereof state as follows:

- 1. During the Prehearing Conference held by the Commission on July 15, 2015, the Regulatory Law Judge presiding over this case directed the parties to file a proposed procedural schedule by July 22, 2015. The parties to this pleading have reached agreement on a proposed procedural schedule, which is reflected herein. Those parties request that the Commission adopt the procedural schedule set forth in paragraph 2 below, and also adopt the related procedural items that have been agreed upon, as reflected in paragraph 3 below.
- 2. The Proposed Procedural Schedule agreed upon by the parties to this pleading is as follows:

\_

<sup>&</sup>lt;sup>1</sup> The project for which the CCN is sought in this case also includes a 161,000-volt line connecting to the associated substation to allow interconnection with the existing transmission system in the area.

# **Procedural Schedule**

Non-Company Parties File Rebuttal Testimony September 11, 2015

Local Public Hearings August/September, 2015<sup>2</sup>

Response Time for Data Requests Reduced to 10 Calendar Days to Respond and 5
Business Days to Object/Notify of Need

For Additional Time to Respond August 24, 2015

Company Files Surrebuttal/Other Parties' October 9, 2015

**Cross-Surrebuttal Testimony** 

Last Day to Request Discovery October 23, 2015

Deadline to File List of Issues, List of Witnesses, Order of Cross-Examination, and Order of

Opening Statements October 23, 2015

Deadline to File Statements of Position October 28, 2015

Evidentiary Hearings November 9-10, 12-13, 16, 2015<sup>3</sup>

Deadline to File Initial Briefs December 4, 2015

Deadline to File Reply Briefs December 18, 2015

3. The parties to this pleading have also agreed to the following procedures and request the Commission order these agreed to procedures be included in the Commission's Order setting the Procedural Schedule for this case:

(a) All parties shall provide copies of testimony (including schedules), exhibits and pleadings to other counsel 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 (.PDF, .DOC, .WPD, .XLS, etc.). Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.

2

<sup>&</sup>lt;sup>2</sup> The parties to this pleading recommend that two local public hearings be held, one in the Kirksville area, and one in the Palmyra area, if a suitable facility is available in Palmyra but, if such a facility is not available, in the Hannibal area, and that the two local public hearings be held between August 10 and September 4, 2015.

<sup>&</sup>lt;sup>3</sup> November 11, 2015, is Veterans' Day, a State holiday.

- (b) Parties shall try to not include highly confidential or proprietary information in data request questions. 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 4 CSR 240-2.135.
- (c) 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 highly confidential or proprietary 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, 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. 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. In the case of ATXI data request responses, ATXI shall post its data request responses on its Caseworks Extranet site; however, in the case of responses to data requests Staff issues to it, ATXI shall also submit the responses to Staff data requests in EFIS, if feasible, or in electronic format on compact disc or by other means agreed to by Staff counsel, if infeasible.)
- (d) If a data request has been responded to, a party's request for a copy of the response shall be timely responded to, considering that the underlying data request has already been responded to (except that, with the exception of responses to Staff, responses will not be needed for ATXI data request responses posted on the Company's Caseworks Extranet site).
- (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 highly confidential or proprietary information shall be appropriately marked.
- (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, 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. With the exception of workpapers provided to Staff, ATXI 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. ATXI shall provide its workpapers to Staff 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) All data requests, subpoenas, or other discovery requests or notices shall be issued no later than October 23, 2015. With respect to deposing a witness, so long as a notice of deposition is issued by October 23, 2015, the deposition may occur so long as it is scheduled to occur on or before October 30, 2015.
- (i) All motions to compel a response to any discovery request shall be filed no later than October 28, 2015.
- (j) Data requests sent after 5:00 pm will be considered served on the next business day. The Commission may rule on discovery motions filed after Surrebuttal Testimony is filed without holding the conference required by 4 CSR 240-2.090(8)(B).

WHEREFORE, the above-named parties file the Jointly Proposed Procedural Schedule set forth in paragraph 2 above, and request that the Commission adopt the same and include in its order its adoption of the procedural items requested by the parties in paragraph 3 above, and set two local public hearings in the locations and on the dates set forth above.

Respectfully submitted,

# /s/ James B. Lowery

James B. Lowery, Mo. Bar #40503 Michael R. Tripp, Mo. Bar #41535 SMITH LEWIS, LLP P.O. Box 918 Columbia, MO 65205-0918 (T) 573-443-3141 (F) 573-442-6686 lowery@smithlewis.com tripp@smithlewis.com

Jeffrey K. Rosencrants, Mo. Bar #67605 Senior Corporate Counsel Ameren Services Company One Ameren Plaza 1901 Chouteau Avenue P.O. Box 66149 (MC 1310) St. Louis, MO 63166-6149 (T) (314) 554-3955 (F) (314) 554-4014 JRosencrants@ameren.com

Attorneys for Ameren Transmission Company of Illinois

# /s/ Steven Dottheim

Steven Dottheim, Mo. Bar #29149 Chief Deputy Staff Counsel (T) (573) 751-7489 (F) (573) 751-9285 steve.dottheim@psc.mo.gov

Nathan Williams, Mo. Bar #35512 Deputy Staff Counsel (T) (573) 751-8702 (F) (573) 751-9285 nathan.williams@psc.mo.gov

Attorneys for the Staff of the Missouri Public Service Commission P. O. Box 360 Jefferson City, MO 65102

# /s/ Dustin Allison

Dustin Allison, Mo. Bar #54013 Acting Public Counsel 200 Madison Street, Suite 650 P.O. Box 2230 Jefferson City, MO 65102 (T) 573-751-4857 (F) 573-751-5562 opcservice@ded.mo.gov

Attorney for the Office of the Public Counsel

#### /s/ David C. Linton

David C. Linton, Mo. Bar #32198 314 Romaine Spring View Fenton, MO 63026 (T) 314-341-5769 jdlinton@reagan.com

Attorney for United for Missouri, Inc.

# /s/ Edward F. Downey

Edward F. Downey, Mo. Bar #28866 221 Bolivar Street, Suite 101 Jefferson City, MO 65101 (T) 573-556-6622 (F) 573-556-7442 efdowney@bryancave.com

Diana M. Vuylsteke, Mo. Bar #42419 211 N. Broadway, Suite 3600 St. Louis, MO 63102 (T) 314-259-2543 (F) 314-259-2020 dmvuylsteke@bryancave.com

Attorneys for Missouri Industrial Energy Consumers

# /s/ Karl Zobrist

Karl Zobrist, Mo. Bar #28325
Jacqueline M. Whipple, Mo. Bar #65270
Dentons US LLP
4520 Main Street, Suite 1100
Kansas City, MO 64111
(T) 816-460-2400
(F) 816-531-7545
karl.zobrist@dentons.com
Jacqueline.whipple@dentons.com

Jeffrey L. Small
Attorney
Midcontinent Independent System Operator, Inc.
720 City Center Drive
Carmel, IN 46032
(T) 317-249-5400
jsmall@misoenergy.org

Attorneys for Midcontinent Independent System Operator, Inc.

#### /s/ Sherrie Hall

Sherrie Hall, Mo. Bar #40949 Emily R. Perez, Mo. Bar #62537 Hammond and Shinners, P.C. 7730 Carondelet Avenue, Suite 200 St. Louis, MO 63105 (T) 314-727-1015 (F) 314-727-6804 sahall@hammondshinners.com eperez@hammondshinners.com

Attorneys for the IBEW Unions

# **CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing has been e-mailed, this 21<sup>st</sup> day of July, 2015, to counsel for all parties of record.

/s/ James B. Lowery

An Attorney for Ameren Transmission Company of Illinois