

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

In the Matter of the Application of Ameren            )  
Transmission Company of Illinois for a            )  
Certificate of Public Convenience and            )  
Necessity to Construct, Install, Own, Operate,    )  
Maintain, and Otherwise Control and Manage    ) Case No. EA-2021-0087  
a 138 kV Transmission Line and associated        )  
facilities in Perry and Cape Girardeau            )  
Counties, Missouri                                    )

**MOTION FOR ADOPTION OF PROCEDURAL SCHEDULE**

COMES NOW Ameren Transmission Company of Illinois (“ATXI”) and submits this Motion for Adoption of Procedural Schedule to the Missouri Public Service Commission (“Commission”).

1. On April 28, 2021, ATXI filed an Application and Direct Testimony in support of its request for a certificate of convenience and necessity (“CCN”) to construct, install, own, operate, maintain, and otherwise control and manage a 138 kV transmission line and associated facilities in Perry and Cape Girardeau Counties, Missouri (the “Project”).

2. ATXI did not seek expedited treatment of its Application, but for the purposes of planning, requested an order from the Commission by December 30, 2021, which is in line with a typical timeline for processing similar CCN applications. An order by December 30, 2021 is required to meet the Project’s scheduled in-service date, as discussed in the Direct Testimony of ATXI Witness James Jontry.

3. On May 5, 2021, the Commission issued an Order Directing Notice and Setting Deadlines for Intervention Applications and Staff’s Recommendation (“Order”). The Order set a deadline of June 4, 2021 for applications to intervene and directed Commission Staff to file, no

later than June 18, 2021, either a recommendation regarding ATXI's application or a status report advising when it expects to file a recommendation.

4. ATXI submits that a full procedural schedule, including the reservation of dates for an evidentiary hearing (if necessary), will be beneficial to the parties and the Commission, and will facilitate the efficient processing of ATXI's Application.

5. In addition, ATXI proposes that a local public hearing be held via video and telephone conference, consistent with recent Commission orders regarding local public hearings in other proceedings.<sup>1</sup> ATXI will work with Commission Staff to determine the appropriate date, time, and procedures for a virtual local public hearing.

6. ATXI has discussed this proposed procedural schedule with Commission Staff and Commission Staff has indicated that they do not object to the proposed procedural schedule.

7. Accordingly, ATXI respectfully requests that the Commission adopt the proposed procedural schedule set forth below, and cancel the previously issued directive for a Staff recommendation or status report by June 18, 2021.

<b>Date</b>	<b>Event</b>
Deadline for Intervention	June 4, 2021
Local Public Hearing	Date & Time TBD <sup>2</sup>
Rebuttal Testimony/Staff Report Due	August 17, 2021

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<sup>1</sup> See, e.g., File No. GR-2021-0108, Order Setting Local Public Hearings (May 5, 2021); File No. WR-2020-0344, Order Setting Local Public Hearings (Dec. 2, 2021).

<sup>2</sup> ATXI will work with Commission Staff to determine the appropriate date, time, and procedures for a virtual local public hearing.

Surrebuttal Testimony Due	September 14, 2021
Last Day for Discovery Requests	September 24, 2021
List of Issues, List of Witnesses, and Order of Cross-Examination	October 14, 2021
Position Statements	October 15, 2021
Evidentiary Hearing	October 20-22, 2021 <sup>3</sup>
Initial Post-Hearing Briefs	November 12, 2021
Reply Post-Hearing Briefs	November 24, 2021
Requested Commission Order	December 30, 2021

8. In addition, ATXI requests that the Commission adopt the proposed procedural requirements listed below:

- a. 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 uncontested and not requiring resolution by the Commission.
- 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.

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<sup>3</sup> These dates are currently on hold for an evidentiary hearing in Case No. ER-2021-0240; however, the parties to ER-2021-0240 recently proposed replacement dates in December 2021 for the evidentiary hearing in that case. Accordingly, October 20-22, 2021 appear to be available for an evidentiary hearing in the instant case.

- c. All parties shall provide copies of testimony, schedules, exhibits, and pleadings to other counsel of record by electronic means and in electronic form essentially concurrently with the filing of such testimony, schedules, exhibits, or pleadings where the information is available in electronic format. Parties shall not be required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.
- d. All data requests, subpoenas, or other discovery requests shall be issued no later than September 24, 2021. September 24, 2021 shall also be the last day by which a deposition may be taken.
- e. Testimony or reports shall be pre-filed as defined in Commission Rule 20 CSR 4240-2.130.
- f. All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 20 CSR 4240-2.080. Briefs must set forth and cite the proper portions of the record in support of that party's position concerning the remaining unresolved issues that are to be decided by the Commission.
- g. 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.
- h. Public documents filed in the Commission's Electronic Filing and Information System ("EFIS") shall be considered properly served by serving the same on counsel of record for all other parties via e-mail. The parties agree confidential documents may be obtained from EFIS and so agree not to serve those documents via email.
- i. 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. Data requests issued to or by Staff shall be submitted and responded to in EFIS, if feasible, or in electronic format on compact disc or by other means agreed to by counsel, if infeasible. 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, 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.

- j. 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 20 CSR 4240-2.135.
- k. 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 testimony document, 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. 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.
- l. 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.
- m. Exhibit number will be assigned by the Administrative Law Judge prior to hearing. Exhibits shall be marked as set forth in Commission Rule 20 CSR 4240-2.135(10)(C). For example, public exhibit two would be marked as Exhibit 2, whereas the confidential exhibit two would be marked as Exhibit 2C.
- n. Each party shall prepare a list of its exhibits and submit a copy of that list to every other party and to the regulatory law judge no later than October 18, 2021. 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.

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WHEREFORE, ATXI respectfully requests the Commission adopt the proposed procedural schedule and requirements set forth above and for any other relief deemed necessary and appropriate by the Commission for the processing of ATXI's Application and the issuance of an order by December 30, 2021.

Respectfully submitted,

/s/ Andrew O. Schulte

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ATTORNEYS FOR AMEREN TRANSMISSION  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was served upon the parties listed below by email or U.S. mail, postage prepaid, this 19<sup>th</sup> day of May, 2021.

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*/s/ Andrew O. Schulte*  
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