

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

In the matter of The Empire District Electric)	
Company and The Empire District Gas Company)	Case No. AO-2012-0062
for Approval of their Cost Allocation Manual)	

JOINT PROPOSAL REGARDING CERTAIN PROCEDURAL MATTERS

COME NOW The Empire District Electric Company (“Empire Electric”), The Empire District Gas Company (“Empire Gas”) (collectively, “Empire”), the Staff of the Missouri Public Service Commission (“Staff”), and the Office of the Public Counsel (“Public Counsel”), and jointly state as follows:

1. On August 23, 2011, Empire filed its application for approval of its Cost Allocation Manual (“CAM”) with the Missouri Public Service Commission (“Commission”).
2. The parties propose the following procedural schedule:
 - a. November 10, 2011: Staff files its recommendation and comments.
 - b. December 16, 2011: Empire and Public Counsel file any responses to Staff’s recommendation.
 - c. January 27, 2012: All parties file any replies to the responses, if necessary.
 - d. February 10, 2012: If any items remain in dispute, the parties will so notify the Commission and suggest a procedure (or procedures) to resolve the remaining dispute(s).
3. The parties propose the following procedures and request that these procedures be accepted by the Commission:
 - a. All parties shall provide copies of exhibits and pleadings to other counsel by electronic means and in electronic form essentially concurrently with the filing of such 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.

b. Whenever possible data request questions should not contain 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 should be prominently marked and appropriately designated as such pursuant to 4 CSR 240-2.135.

c. Counsel for each party shall receive electronically from each other party, an electronic copy of the text of all data request “descriptions” served by that party on another party in the case contemporaneously with service of the request. 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 – in this manner the party providing a response to a data request has the opportunity to object to providing the response to another party and is responsible for copying information purported to be highly confidential or proprietary – thus, if a party wants a copy of a data request response by Empire to a Staff data request, the party should ask Empire, not the Staff, for a copy of the data request response unless there are appropriate reasons to direct the discovery to the party originally requesting the material. Data requests, objections, or notifications respecting the need for additional time to respond shall be sent via e-mail to counsel for the other parties. Counsel may designate other personnel to be added to the service list but shall assume responsibility for compliance with any restrictions on confidentiality. Data request responses will be served on counsel for the requesting party 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.

d. For data requests served before November 11, 2011, 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 served after November 11, 2011, 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.

e. The parties request that the Commission waive 4 CSR 240-2.045(2) and 2.080(11) and treat filings made through the Commission’s Electronic Filing and Information System (EFIS) as timely filed if filed before midnight on the date the filing is due.

f. The parties agree that filings may be properly served by serving the same on counsel of record for all other parties via e-mail essentially contemporaneously with the EFIS filing.

WHEREFORE, the signatory parties submit their *Joint Proposal Regarding Certain Procedural Matters*, and respectfully request that the Commission order the procedural matters as set forth herein.

Respectfully submitted,

THE EMPIRE DISTRICT ELECTRIC COMPANY

/s/ Diana C. Carter

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 15th day of September, 2011.

/s/ Sarah Kliethermes