

**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.)

**PROPOSED PROCEDURAL SCHEDULE OF NEIGHBORS UNITED AND
SUGGESTIONS IN SUPPORT**

COMES NOW Neighbors United Against Ameren’s Power Line (Neighbors United), by and through the undersigned counsel, and hereby respectfully requests the Commission adopt the procedural schedule proposed herein. In support, the undersigned states as follows:

1. On July 15, 2015, the Commission convened a prehearing conference in this matter. Regulatory Law Judge Pridgin requested the parties to file proposed procedural schedules no later than July 22, 2015. This filing complies with the Judge’s directive. Neighbors United requests the Commission order the proposed procedural schedule set forth in paragraph 7 below, along with the related procedural items in paragraph 9 below.

2. Neighbors United’s proposed schedule allows all the parties a sufficient opportunity to fully set forth their rights and positions in this case for Commission decision and ensures due process in this case—something the competing schedule in this case does not allow¹.

3. The undersigned was retained by Neighbors United on July 7, 2015. Neighbors United is in the process of searching for and retaining several experts to present testimony in this case. The proposed schedule herein will allow Neighbors United, and all parties, adequate time to prepare and present a complete case to the Commission for its deliberation and decision. If the Commission adopts the competing

¹ The Jointly Proposed Procedural Schedule filed by ATXI points out that Neighbors United is the only party that did not join in its filing. Even if Neighbors United agreed with the procedural schedule and had wanted to join in it, it was not given the opportunity to review or join the schedule as it was not circulated to the undersigned prior to ATXI’s filing, a practice that is customary between parties developing procedural schedules for submission before the Commission.

schedule, Neighbors United will not have an adequate opportunity to retain experts and present its case to the Commission in rebuttal testimony by September 11, 2015.

4. Neighbors United is the only party to this case that has significant property rights at stake in this matter. For this reason, Neighbors United asks the Commission to give weight to its request and grant the schedule as proposed herein. It is not meant to delay, harass or prejudice any party to this case. It is almost identical to the schedule the Commission ordered in the Grain Belt Express Clean Line, LLC case, Case No. EA-2014-0207, that was supported by the Staff of the Missouri Public Service Commission, the Office of the Public Counsel, Missouri Industrial Energy Consumers and United for Missouri.

5. In Case No. EA-2014-0207, the time from the Applicant's initial filing (March 26, 2014) to the filing of rebuttal (September 15, 2014) was 173 days. ATXI filed its Application on May 29, 2015, and Neighbors United proposes to file rebuttal testimony on November 30, 2015, a time frame of 185 days. Further, the case in Grain Belt from Application to the last procedural date was 272 days. This case from ATXI's Application to Neighbors United's last proposed procedural date is 294 days, a difference from Grain Belt of 22 days.

6. Lastly, the undersigned counsel is anticipating beginning maternity leave on August 11, 2015, through October 11, 2015, with limited availability during that time.

7. For the reasons stated above, Neighbors United believes the following schedule will allow each party a sufficient opportunity to present its case in this matter:

ATXI Application	May 29, 2015
Prehearing Conference	July 15, 2015
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	Ordered to begin with the effective date of the Commission's Order setting forth the procedural schedule for this case
Local Public Hearings	November 16-24, 2015 (times and locations to be discussed by the parties and proposed by subsequent filing)

Non-Company Parties file Rebuttal Testimony	November 30, 2015
Company files Surrebuttal/Other Parties file Cross-Surrebuttal Testimony	December 31, 2015
Last day to Request Discovery	January 15, 2016
Deadline to File List of Issues, List of Witnesses, Order of Cross-Examination and Order of Opening Statements	January 15, 2016
Deadline to File Statements of Position	January 20, 2016
Evidentiary Hearings	January 25-29, 2016
Deadline to File Initial Briefs	February 26, 2016
Deadline to File Reply Briefs	March 18, 2016

8. Neighbors United requests the Commission allow it to continue to work with the Office of the Public Counsel and the other parties to determine times and locations for public hearings. To date, Neighbors United has proposed three public hearings, one each in Schuyler, Adair and Shelby counties. It is particularly important to have one public hearing located in Schuyler county due to the dense Amish communities that will have transportation issues for public hearings, especially one scheduled outside their county.

9. Neighbors United proposes the following procedural items 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.
- 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. 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.
- 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.
- 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.

- 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. Data requests sent after 5:00 pm will be considered served on the next business day.
- i. Unless otherwise ordered, all other Commission's rules will apply to this matter.

WHEREFORE, the undersigned files this proposed procedural schedule and suggestions in support for the Commission's information and consideration and respectfully requests the Commission issue a procedural schedule and the procedural items as described herein.

Respectfully submitted,

HERNANDEZ LAW FIRM, LLC

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ATTORNEY FOR NEIGHBORS
UNITED AGAINST AMEREN'S POWER
LINE

Certificate of Service

I certify that a true copy of the above and foregoing was served to all counsel of record by electronic mail this 22nd day of July 2015.

/s/ Jennifer Hernandez

Jennifer Hernandez