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BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of Union Electric Company d/b/a AmerenUE for a Certificate of Public Convenience and Necessity Authorizing It to Construct, Install, Own, Operate, Control, Manage, and Maintain Natural Gas Pipeline Facilities and a Gas Distribution System for the Public in a Portion of St Charles County, Missouri, as an Expansion of Its Presently Certificated Area.	)	Case No. GA-99-107
In the Matter of the Application of Laclede Gas Company for a Certificate of Public Convenience and Necessity Authorizing It to Construct, Install, Own, Operate, Control, Manage, and Maintain a Gas Distribution System for the Public in a Portion of the City of Wentzville, Missouri, as an Expansion of Its Presently Certificated Area.	)	Case No. GA-99-236

ORDER ADOPTING PROCEDURAL SCHEDULE

On September 15, 1998, Union Electric Company d/b/a AmerenUE (UE) filed an application for a certificate of public convenience and necessity for authorization to construct, own, and operate natural gas pipeline facilities and a gas distribution system for the public in a portion of St. Charles County. On November 3, Laclede Gas Company (Laclede) was granted leave to intervene in the UE case. Laclede filed its own application, on November 24, for a certificate of public convenience and necessity to provide gas service to a portion of St.

Charles County for which UE also seeks certification. On December 3, the Commission issued an order consolidating the UE and Laclede applications into a single proceeding.

A prehearing conference was held on November 30, and on December 7, UE, Laclede, the Staff of the Public Service Commission (Staff) and the Office of the Public Counsel (OPC) filed a Joint Recommendation for Procedural Schedule. No other proposed procedural schedules have been filed.

The Commission has reviewed the proposed procedural schedule and finds it to be generally appropriate. However, the proposed procedural schedule does not include a date for a prehearing conference. The Commission believes that a prehearing conference is necessary to allow the parties to have one more face to face discussion about the case prior to the submission of the hearing memorandum. Therefore, a prehearing conference will be scheduled.

The Commission will apply the conditions set out below to the procedural schedule in this case.

A. The Commission will require the prefiling of testimony in compliance with the requirements of 4 CSR 240-2.130, including the filing of testimony on line-numbered pages. The practice of prefiling testimony is designed to give parties notice of the claims, contentions and evidence in issue and to avoid unnecessary objections and delays in the proceedings caused by allegations of unfair surprise at the hearing.

B. Testimony and schedules shall not be filed under seal and treated as proprietary or highly confidential unless the Commission has first established a protective order. The party that considers information to be proprietary or highly confidential must request a protective order and indicate the material's proper classification at the time of filing. Any testimony or schedule filed without a protective order first being established, or its classification clearly indicated, shall be considered public information.

C. The parties shall file a hearing memorandum setting out the issues to be heard and the witnesses to appear on each day of the hearing and the order in which they shall be called, an appendix containing definitions of technical terms, each party's position on the disputed issues, and the order of cross-examination. The hearing memorandum will set forth the issues that are to be heard and decided by the Commission. Any issue not contained in the hearing memorandum will be viewed as uncontested and not requiring resolution by the Commission. Staff will be responsible for preparing and filing the hearing memorandum.

D. The Commission emphasizes the importance of the deadline for filing the hearing memorandum. Staff will be responsible for preparing and filing the hearing memorandum, and, unless the Commission orders otherwise, the hearing memorandum shall be filed on or before the date set. Each party is required to provide Staff with its position on each unresolved issue at least two business days prior to the filing deadline for the hearing memorandum. Each party shall either present their signature

element (a signed page), shall provide written authorization to permit the General Counsel to sign for that particular party, or shall be available to sign the final draft at the offices of the General Counsel prior to the filing deadline. A hearing memorandum which is not signed is considered noncompliant as to the party whose signature is missing and any party who fails or refuses to sign the final copy of the hearing memorandum is hereby ordered to file its own hearing memorandum, which follows the same numbering and topic outline, by the hearing memorandum filing date.

E. Any party wishing to offer a prefiled exhibit into evidence must bring to the hearing three copies of the exhibit for the court reporter. If the exhibit has not been prefiled, the proponent must also bring six copies for the Commissioners and regulatory law judge, and copies for opposing counsel.

F. The Commission's general policy provides for the filing of the transcript within two weeks after the conclusion of the hearing. Any party seeking to expedited the filing of the transcript shall tender a written request to the regulatory law judge at least five days before the hearing.

G. The briefs to be submitted by the parties shall follow the format established in the hearing memorandum. Initial briefs must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission. Initial briefs shall be limited to 25 pages and reply briefs to 15 pages. All

pleadings, briefs and amendments shall be filed in accordance with 4 CSR 240-2.080(7).

IT IS THEREFORE ORDERED:

1. That the following procedural schedule is adopted for this proceeding, subject to the conditions discussed above:

Date	Event
January 5, 1999, 3:00 p.m.	**Direct Testimony by AmerenUE and Laclede**
February 11, 1999, 3:00 p.m.	**Rebuttal Testimony by all parties**
February 16, 1999, 3:00 p.m.	**Prehearing Conference**
March 3, 1999, 3:00 p.m.	**Surrebuttal or Cross-Surrebuttal Testimony by all parties**
March 8, 1999	**Hearing Memorandum**
March 17, 18 & 19, 1999 10:00 a.m. on March 17 and 9:00 a.m. thereafter	Hearing

2. That the prehearing conference and the evidentiary hearing will be held in the Commission's office on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Anyone wishing to attend who has special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days before the prehearing conference at: Consumer Services Hotline - 1-800-392-4211 or TDD Hotline - 1-800-829-7541.

3. That this order shall become effective on December 21, 1998.

BY THE COMMISSION

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Morris L. Woodruff, Regulatory Law Judge, by delegation of authority pursuant to 4 CSR 240-2.120(1), (November 30, 1995) and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri, on this 10th day of December, 1998.