

2. Beginning on the date set for the parties to file direct testimony, the time allowed to respond to discovery requests will be 15 calendar days, with 7 calendar days allowed for objections to discovery requests.

3. Beginning on the date set for parties to file rebuttal testimony, the time allowed to respond to discovery requests will be 10 calendar days, with 5 calendar days allowed for objections to discovery requests.

4. All data requests, subpoenas, or other discovery requests shall be issued no later than December 10, 2012.

5. All motions to compel a response to any discovery request shall be filed no later than December 18, 2012.

6. The following conditions shall apply to all discovery requests:

- A. Discovery request responses will be served on counsel for the requesting party and on the requesting party's employee or representative who submitted the discovery request and shall be served electronically, if feasible and not voluminous as defined by Commission rule.
- B. If either highly confidential or proprietary information must be included in discovery request questions, the highly confidential or proprietary information should be appropriately designated as such pursuant to 4 CSR 240-2.135. Counsel may designate other personnel to be added to the service list but shall assume responsibility for compliance with any restrictions on confidentiality.
- C. Counsel for each party shall receive electronically from each other party, an electronic copy of the text of all discovery 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 discovery request shall be considered a sufficient copy.
- D. Discovery requests, objections, or notifications respecting the need for additional time to respond shall be sent via e-mail to counsel for the other parties.
- E. If a party desires the response to a discovery 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 discovery request – in this manner the party providing a response to a discovery 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 discovery request response by Big River to a Staff discovery request, the party should ask Big River, not the Staff, for a copy of the discovery request response unless there are appropriate reasons to direct the discovery to the party originally requesting the material.

- F. Where workpapers or discovery 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 or outputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format.

7. Discovery conferences will be held on October 10, 2012, November 14, 2012, and December 19, 2012. The parties shall bring a complete list of all outstanding discovery requests to each discovery conference. Any party that wishes to participate in the discovery conference by telephone will be notified of the telephone conference number prior to the time set for the conference. Parties participating by phone shall file a complete list of all outstanding discovery requests no later than one day prior to the conference.

8. Discovery conferences shall be held at the Commission's office at the Governor Office Building, at 2:00 p.m. in Room 305, 200 Madison Street, Jefferson City, Missouri. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. Any person or entity requiring additional accommodations to participate in this hearing shall call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

9. Discovery conferences shall be on the record and transcribed by a court reporter.

10. The requirement in Commission Rule 4 CSR 240-2.090 that party must hold a telephone conference with the Presiding Officer prior to filing a discovery motion is waived.

11. Any party seeking reconsideration of a ruling on discovery shall file a motion for reconsideration no later than five business days following the ruling.

12. This order shall become effective immediately upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Michael Bushmann, Regulatory Law
Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 23rd day of August, 2012.