

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

The Staff of the Missouri Public Service Commission,)	
)	
)	
Complainant,)	
)	
v.)	<u>Case No. WC-2008-0405</u>
)	
Dale Whiteside and Whiteside Hidden Acres,)	
)	
)	
Respondents.)	

ORDER SETTING PROCEDURAL SCHEDULE

Issue Date: September 8, 2008

Effective Date: September 8, 2008

On June 19, 2008, the Staff of the Commission Counsel filed a complaint against the above-named Respondents. As directed by the Commission, the parties filed a proposed procedural schedule on September 8.

The Commission has reviewed the proposed procedural schedule. In light of the parties' agreement, the Commission will order that the parties comply with their suggested dates. The Commission orders the following schedule and finds that the following conditions should be applied to the schedule:

(A) The Commission will waive the prefiling of testimony normally required by Commission Rule 4 CSR 240-2.130.

(B) The parties shall agree on and file a list of issues to be determined herein by the Commission. Staff shall be responsible for actually drafting and filing the list of issues and the other parties shall cooperate with Staff in the development thereof. Any

issue not included in the issues list will be presumed to not require determination by the Commission.

(C) Each party shall file a list of the witnesses to appear on each day of the hearing and the order in which they shall be called. The parties shall propose the order of cross-examination and file a joint pleading indicating the same. Regardless of the issues listed by the parties, the Commission reserves the right to address safe and adequate service as an issue.

(D) The Commission's general policy provides for the filing of the transcript within two weeks after the hearing. If any party seeks to expedite the filing of the transcript, such request shall be tendered in writing to the Presiding Judge at least five days prior to the date of the hearing.

(E) All pleadings, briefs and amendments shall be filed in accordance with 4 CSR 240-2.080. The briefs to be submitted by the parties shall follow the same list of issues as filed in the case. The 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.

(F) All parties are required to bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has been prefiled, only one copy of the exhibit is necessary for the court reporter. If an exhibit has not been prefiled, the party offering it should bring, in addition to a copy for the court reporter, copies for the five Commissioners, the Presiding Judge, and all counsel.

(G) All parties will provide copies of testimony, exhibits and pleadings to other counsel by electronic means and in electronic form essentially concurrently with the filing of such testimony, exhibits or pleadings.

(H) All parties shall strive to not include in data request questions 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 appropriately designated as such pursuant to Commission Rule.

IT IS ORDERED THAT:

1. The parties are directed to comply with the conditions set out in this order.
2. The following procedural schedule is adopted:

List of Issues, List of Witnesses,
and Order of Cross-Examination

January 6, 2009

Evidentiary Hearing

January 20-21, 2009
10:00 a.m.

The hearing will be held at the Commission's offices in the Governor Office Building, 200 Madison Street, Room 310, Jefferson City, Missouri, a facility that meets the accessibility standards of the Americans with Disabilities Act (ADA). If any person needs additional accommodations to participate in these proceedings, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing or prehearing conference.

3. This order shall become effective immediately upon issuance.

(S E A L)

Ronald D. Pridgin, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 8th day of September, 2008.

BY THE COMMISSION



Colleen M. Dale
Secretary