

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Office of the Public Counsel,)	
)	
Complainant,)	
)	
v.)	<u>Case No. WC-2007-0038</u>
)	
Central Jefferson County Utilities, Inc.,)	
)	
Respondent.)	

ORDER SETTING PROCEDURAL SCHEDULE

Issue Date: September 26, 2006

Effective Date: September 26, 2006

On July 27, 2006, the Office of the Public Counsel filed an overearnings complaint against Central Jefferson County Utilities, Inc. As directed by the Commission, the parties filed a proposed procedural schedule on September 25.

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 require the prefiling of testimony as defined in 4 CSR 240-2.130. All parties shall comply with this rule, including the requirement that testimony be filed 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 caused by allegations of unfair surprise at the hearing.

(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.

(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 the Protective Order in this case.

(I) No continuance for negotiation will be granted without the submission of a Stipulation and Agreement covering those matters on which testimony was scheduled for the period of the requested continuance. No motions for continuance will be granted without a hearing unless the parties submit a unanimous Stipulation and Agreement.

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:

Direct Testimony, Office of the Public Counsel	October 2, 2006
Rebuttal Testimony, all other parties	January 31, 2007
Surrebuttal Testimony, all parties	March 30, 2007
Prehearing/Settlement Conference	April 9, 2007
List of Issues, Order of Opening Statements, List of Witnesses, Order of Cross-Examination	April 16, 2007
Statements of Position and Prehearing Briefs	April 23, 2007
Evidentiary Hearing	April 30- May 1, 2007 8:30 a.m.

The hearing and prehearing conference will be held at the Commission's offices in the Governor Office Building, 200 Madison Street, 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 on September 26, 2006.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(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 26th day of September, 2006.