

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of Missouri-American Water Company's)
Request for Authority to Implement a General Rate)
Increase for Water and Sewer Service Provided in)
Missouri Service Areas) **Case No. WR-2008-0311**

ORDER ADOPTING PROCEDURAL SCHEDULE

Issue Date June 30, 2008

Effective Date: June 30, 2008

On June 13, 2008, the Staff of the Missouri Public Service Commission filed an Amended Proposed Procedural Schedule. Having previously filed a proposed procedural schedule on May 19, the hearing dates of which were in conflict with other Commission matters, Staff now proposes changes only in the dates reserved for the evidentiary hearing. Staff also indicates that all parties are amenable to the proposed schedule. The parties also agree that the test year should be the year ending December 31, 2007. Finally, the parties do not agree on a date up to which known and measurable changes in the test year might be accounted for. Staff and the Office of the Public Counsel suggest that this date be March 31, 2008. Missouri-American suggests that it be September 30.

Because all parties accept the proposed schedule, the Commission will adopt it. However, because all of the parties do not agree on the date up to which known and measurable changes should be accounted for, the Commission will issue a subsequent order resolving this issue. The Commission will, however, reserve a date for a true-up hearing if one is necessary.

Although the Commission has not secured times and places for all local public hearings requested, the following is a list as it now stands:

Monday, Sept. 8, 2008

ITV Room, Mexico Advanced Technology Center, 2900 Doreli Lane, Mexico MO.

Warrenton, MO – *site not confirmed*

Tuesday, Sept. 9

University of Central Missouri, 601 Missouri, Warrensburg, Missouri- (***Room # not yet confirmed***)

McCoy Meetin' House, Park University, 8700 Northwest River Park Drive, Parkville, MO

Tuesday, Sept. 16

Webster Hall, Missouri Southern State University, 3950 East Newman Road, Joplin, MO

Monday, Sept. 22

Spratt Hall, Room 201, Missouri Western University, 4525 Downs Drive, St. Joseph, MO

Tuesday, Sept. 23

St. Charles Administration Building, Room 115, 201 North Second Street, St. Charles, MO

Governor Office Building, Room 310, 200 Madison Street, Jefferson City, MO

Wednesday, Sept. 24

Although a hearing is tentatively schedule at the University of Missouri, St. Louis, this location and date are not yet confirmed

Thursday, Sept. 25

St. Louis Community College – Meramec Campus, Room BA-105, 11333 Big Bend Road, Kirkwood, MO

NOTE : All hearings are from 6:30 – 9:30 p.m. Public Question and Answer begins at 6:00 p.m..

With regard to the procedural schedule, the following conditions shall apply:

(A) Testimony shall be prefiled as defined in Commission rule 4 CSR 240-2.130.

All parties must comply with this rule, including the requirement that testimony be filed on line-numbered pages.

(B) The parties shall agree upon and Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing, the order in which they will be called, and the order of cross-examination for each witness. The list of issues should be detailed enough to inform the Commission of each issue that must be resolved. The Commission will view any issue not contained in this list of issues as uncontested and not requiring resolution by the Commission.

(C) Each party shall file a simple and concise statement summarizing its position on each disputed issue.

(D) All pleadings, briefs, and amendments shall be filed in accordance with Commission rule 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(E) All parties shall bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has not been prefiled, the party offering it must bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Judge, and all counsel.

The parties have agreed to, and shall be required to comply with, the following conditions:

(F) All pleadings, testimony, and other filings may be electronically served upon the parties by transmitting a copy to counsel of record. Service of such filings shall be

essentially contemporaneous with the filing itself, and shall go only to the attorneys, who must then take responsibility for such further distribution to their respective clients.

(G) Parties shall, without necessity of a request, serve work papers electronically upon all parties no later than two business days following the filing of the testimony to which they pertain.

(H) The response and objection intervals for Data Requests (DRs) shall, as of the date for filing rebuttal testimony, be shortened to ten days for responses and five business days for objections.

(I) DRs shall be provided electronically to all counsel of record as shown on the certified service list, and not transmitted only to the party of whom the request is made. The party propounding the DR shall endeavor to avoid including highly confidential or proprietary matter in a DR question. DR responses shall be provided to those parties specifically requesting them, unless subject to an objection.

(J) To the extent reasonably possible, responses to DRs shall be provided in electronic format. However, this shall not be construed to require undue efforts to convert material from hard copy to electronic format.

(K) All exhibits shall be pre-marked. Each party shall number its exhibits sequentially, and shall include a shorthand indication of the party's name as part of the exhibit number, separated from the number by a dash. For example, a Missouri-American exhibit might be designated "MAWC-1."

(L) The Commission will waive rule 4 CSR 240-2.045(2) for the purposes of this proceeding and items filed electronically using the EFIS shall be deemed timely filed if received by midnight of the date on which the filing is due.

Finally, the Commission will expedite the transcripts of the evidentiary hearing.

IT IS ORDERED THAT:

1. The following procedural schedule is adopted:

Direct Testimony (revenue requirement)	August 18, 2008
Direct Testimony (rate design)	September 3
Prehearing Conference	September 8-12
Local Public Hearings	September 8-25
Preliminary issues list	September 19
Rebuttal Testimony (all parties)	September 30
Surrebuttal Testimony (all parties)	October 16
Final issues list, order of witnesses, order of cross-examination, and order of opening statements	October 21
Statements of position	October 23
Evidentiary hearing	October 31 – November 14
True-up hearing if necessary (the parties agreed on December 3-4. Those dates are not available)	December 8-9
Initial briefs	December 12
Reply briefs	January 5, 2009

2. The evidentiary hearing shall be held at 8:30 a.m. in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. This hearing will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this public hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

3. This order shall become effective on June 30, 2008.

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)

Kennard L. Jones, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 30th day of June, 2008.