

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

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

**PROPOSED PROCEDURAL SCHEDULE**

**COMES NOW** the Staff of the Missouri Public Service Commission, on its own behalf and on behalf of the Office of the Public Counsel, Public Water Supply District Nos. 1 and 2 of Andrew County, Public Water Supply District No. 1 of DeKalb County, the Metropolitan St. Louis Sewer District, the City of Jefferson City, Missouri, the City of Joplin, Missouri and submits to the Commission this Proposed Procedural Schedule.

1. The above-named parties have unanimously agreed to recommend the following procedural schedule:

Direct Testimony (Revenue Requirement) – All parties except Company	August 18, 2008
Direct Testimony (Rate Design) – All parties except Company	September 3, 2008
Prehearing conference	September 8-12, 2008
Local public hearings	Dates to be determined – September 8-26, 2008 – parties to recommend dates and locations by May 16, 2008
Preliminary issues list	September 19, 2008
Rebuttal Testimony (all parties)	September 30, 2008
Surrebuttal Testimony (all parties)	October 16, 2008

Final issues list, order of witnesses, order of cross-examination, and order of opening statements	October 21, 2008
Statements of position	October 23, 2008
Evidentiary hearing	Oct. 27 – Nov. 14, 2008
All transcripts to be provided (may require expediting the preparation of some, but not all, volumes)	November 21, 2008
True-up hearing	December 3-4, 2008
Initial briefs	December 12, 2008
Reply briefs	January 5, 2009
Operation-of-law date	February 28, 2009

2. The above-named parties recognize that the dates set forth above for the evidentiary hearing in this case are not the same as the dates that the Commission has reserved for the evidentiary hearing. The parties specifically recognize that the evidentiary hearing in the Trigen Rate Case (Case No. HR-2008-0300) has been scheduled for October 20-31, and that the Commission has reserved November 3-21 for the evidentiary hearing in the AmerenUE Rate Case (Case No. ER-2008-0311). However, the parties respectfully submit that the foregoing schedule is feasible for the reasons set forth in the following paragraphs.

3. The above-named parties understand that it may be possible to conclude the evidentiary hearing in the Trigen Rate Case by October 24, either through a five-day hearing commencing on October 20, or through rescheduling the hearing in the Trigen Rate Case to begin on or after October 14.

4. The above-named parties understand that the parties to the AmerenUE Rate Case have agreed to file a proposed procedural schedule in that case that calls for the evidentiary hearing to begin on November 17, and to conclude by December 5.

5. If hearings in the Trigen Case and the AmerenUE Case are scheduled and rescheduled as described in Paragraphs 3 and 4 hereof, the dates that are proposed for the hearing in this case will become available.

**Proposed List of Conditions**

6. The above-named parties request that the Commission include the following conditions in its Order Adopting Procedural Schedule:

A. 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 would then take responsibility for such further distribution to their respective clients.

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

C. The response and objection intervals for Data Requests (“DRs”) shall, as of the date for filing rebuttal testimony (*i.e.*, September 30, 2008), be shortened to ten days for responses and five business days for objections.

D. 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.

E. Responses to DRs shall be provided in electronic format, to the extent reasonably possible; but this shall not be construed to require undue efforts to convert materials from hard copy to electronic format.

F. 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 Company exhibit might be designated "MAWC-1."

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

#### **Positions of Nonsignatory Parties**

7. The Staff, separately, states that, at 10:28 a.m. on May 16, it circulated to all parties in this case a draft of this pleading, and that, at 2:46 p.m. on May 16, it circulated to all parties in this case another draft of this pleading, which, in Staff's view, contained insubstantial changes to the draft that was circulated in the morning. The parties named in the introductory paragraph agreed to the draft that was circulated at 2:46 p.m. Missouri-American Water Company, the Missouri Industrial Energy Consumers, and Utility Workers Union of American Local 335, AFL-CIO agreed to the draft that was circulated at 10:28 a.m., but did not comment on the draft that was circulated in the afternoon. AG Processing, Inc., the City of Riverside, Missouri, the Missouri Gaming Company, the City of Parkville, Missouri, the City of Lake Waukomis, Missouri, Park University, and the Missouri Energy Group did not comment on either draft of this pleading; however, the Staff has no reason to believe that they oppose this proposed procedural schedule.

**WHEREFORE**, the above-named parties respectfully request that the Commission adopt the above dates as the procedural schedule for resolution of this case; and request that the Commission incorporate the above Proposed List of Conditions in its Order Adopting Procedural Schedule.

Respectfully submitted,

/s/ Keith R. Krueger  
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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile or e-mailed to all counsel of record on this 16<sup>th</sup> day of May, 2008.

/s/ Keith R. Krueger