## STATE OF MISSOURI PUBLIC SERVICE COMMISSION

At a session of the Public Service Commission held at its office in Jefferson City on the 24<sup>th</sup> day of May, 2018.

In the Matter of the Application	)
of Union Electric Company d/b/a	) File No. ET-2018-0132
Ameren Missouri for Approval of	) Tariff Nos. YE-2018-0103,
Efficient Electrification Program	) YE-2018-0104, & YE-2018-0105

## ORDER SETTING PROCEDURAL SCHEDULE AND FURTHER SUSPENDING TARIFFS

Issue Date: May 24, 2018

Effective Date: May 24, 2018

On February 22, 2018, Union Electric Company d/b/a Ameren Missouri filed an application and accompanying tariff sheets seeking approval of two new tariffed programs that are collectively referred to as the "Charge Ahead" program. The application also seeks approval of modifications to Ameren Missouri's existing distribution system extension procedures, variances from portions of the Commission's regulations regarding promotional practices, and a request for an accounting authority order (AAO) for the Charge Ahead program. The Commission suspended the tariffs for 120 days from their original effective date of April 23, 2018, until August 21, 2018.

On May 2, 2018, Ameren Missouri, on behalf of the all the parties, filed a proposed procedural schedule including dates for an evidentiary hearing in December 2018. The parties also agreed to various other procedural requirements. The Commission has reviewed the proposed procedural schedule and will adopt it with the exception of the briefing schedule. Because the proposed schedule goes beyond the

current suspension date, the Commission will suspend the tariffs for an additional six months as authorized by Subsection 393.150, RSMo 2016.

The Commission will adopt most of the procedural requirements as set out in the Jointly Proposed Procedural Schedule. However, in order to allow the Commission sufficient time to consider the case and to prepare its report and order, the parties' proposed briefing schedule will not be adopted. Additionally, as there are no discovery conferences specifically set out in the procedural schedule, the Commission will not waive the requirement in 4 CSR 2.090 that a party must seek a telephone conference with the presiding officer before filing a discovery motion. The Commission also will add a few procedural requirements and will expedite the hearing transcripts.

## THE COMMISSION ORDERS THAT:

1. The tariff sheets filed by Union Electric Company d/b/a Ameren Missouri on February 22, 2018, previously suspended until August 21, 2018, (tariff tracking numbers YE-2018-0103, YE-2018-0104, and YE-2018-0105) are suspended for an additional six months until February 21, 2019.

2. The parties shall comply with the following procedural schedule (the parties may reschedule the Technical Conferences by consensus):

2

Date	Event or Item to be Filed/Submitted
June 12, 2018	Technical Conference No. 1
July 13, 2018	Technical Conference No. 2
August 13, 2018	Technical Conference No. 3
August 31, 2018	Rebuttal Testimony
September 28, 2018	Surrebuttal/Cross-Surrebuttal Testimony
October 12, 2018	Last Day to Issue Discovery Requests, Subpoenas, or Take Depositions
October 24, 2018	List of Issues, Order of Witnesses, Order of Cross- Examination, Order of Opening Statements
November 7, 2018	Statement of Positions
November 28, 2018	Premarked Exhibit Lists submitted to nancy.dippell@psc.mo.gov
December 4-7, 2018	Evidentiary Hearing
December 12, 2018	Expedited Hearing Transcripts
January 7, 2019	Initial Posthearing Briefs
January 17, 2019	Reply Briefs
February 21, 2019	Operation of Law Date

2. The evidentiary hearing is scheduled for December 4-7, 2018, beginning at 9:00 a.m. on the first day. The hearing will be held in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. The hearing will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. Any person requiring additional accommodations to participate in the hearing shall call the Missouri Public Service Commission's Hotline at 800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

3. The parties shall comply with the following additional procedural requirements:

(a) All parties must comply with the requirements of Commission Rule 4 CSR 240-2.130 for prepared testimony, including the requirement that testimony be filed on line-numbered pages.

3

(b) Although not all parties may agree upon how each issue should be described or on whether a listed issue is in fact a proper issue in this case, the parties shall agree upon and 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. <u>Position statements shall track the list of issues</u>, shall set forth any order requested, shall cite any law authorizing that relief, and shall allege facts relevant under that law with citations to any pre-filed testimony supporting the position.

(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) If part of testimony or documents are prefiled and served upon the parties before a hearing, a party need only provide a copy of the testimony or document to the court reporter for marking as an exhibit. If not prefiled and served upon the parties, then a party who has a document marked for use at the hearing shall have sufficient copies of the document to provide a copy not only to the court reporter, but also to each of the Commissioners, the presiding officer, and counsel for each other party.

(f) All parties shall provide copies of testimony (including schedules), exhibits, and pleadings to other counsel by electronic means and in electronic form, essentially concurrently with the filing of such testimony, exhibits, or pleadings where the information is available in electronic format (.PDF, .DOC, .WPD, .XLS, etc.). Parties are not required to put information that does not exist in electronic format into electronic format for purposes of exchanging.

(g) Public documents filed in the Commission's Electronic Filing and Information System ("EFIS") shall be considered properly served by serving the same on counsel of record for all other parties via e-mail. The parties agree confidential documents may be obtained from EFIS and so agree not to serve those documents via email.

(h) Counsel for each party shall receive electronically from each other party serving a data request, an electronic copy of the text of the "description" of

that data request contemporaneously with service of the data request. Data requests issued to or by Staff shall be submitted and responded to in EFIS, if feasible, or in electronic format on compact disc, or by other means agreed to by counsel, if infeasible. Regarding Staff-issued data requests, if the description contains confidential information, or is voluminous, a hyperlink to the EFIS record of that data request shall be considered a sufficient copy. If a party desires the response to a data 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 data request. Data requests shall be sent by e-mail to counsel for the other parties. Counsel may designate other personnel to be added to the service list for data requests, but shall assume responsibility for compliance with any restrictions on confidentiality. Data request responses shall be served (electronically, if feasible and practical) on counsel for the requesting party, unless waived by counsel, and shall also be served by e-mail (if feasible and practical) on the requesting party's employee or representative who submitted the data request at the e-mail address provided in the data request; provided, that in the case of Ameren Missouri data request responses, Ameren Missouri shall post its data request responses on its Caseworks Extranet site; however, in the case of responses to data requests Staff issues, Ameren Missouri shall also submit the responses to Staff data requests in EFIS, if feasible, or in electronic format on compact disc or by other means agreed to by Staff counsel, if infeasible.

(i) The parties shall make an effort to not include confidential information in data requests. If confidential information must be included in a data request, the confidential information shall be appropriately designated as such pursuant to Commission Rule 4 CSR 240-2.135.

(j) If a data request has been responded to, a party's request for a copy of the response shall be timely responded to without waiting the full response time allowed (except that, with the exception of responses to Staff, responses will not be needed for Ameren Missouri data request responses posted on Ameren Missouri's Caseworks Extranet site).

(k) Workpapers prepared in the course of developing a testimony shall not be filed with the Commission, but shall be submitted to each party within two (2) business days following the filing of the testimony, unless a party has indicated that it does not want to receive some or all of the workpapers. Workpapers containing confidential information shall be appropriately marked. If there are no workpapers associated with testimony, the party's attorney shall so notify the other parties within the time allowed for providing those workpapers.

(I) Where workpapers or data 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, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format with formulas intact. With the exception of workpapers provided to Staff, Ameren Missouri may provide workpapers by posting the same on its Caseworks Extranet site, with e-mail notification to counsel for the parties to be provided essentially concurrently with the posting of workpapers on the Extranet site. Ameren Missouri shall provide its workpapers to Staff in electronic format by e-mailing or by delivery of a compact disc or other electronic storage.

4. This order shall be effective when issued.



## **BY THE COMMISSION**

Morris I Woodruf

Morris L. Woodruff Secretary

Hall, Chm., Kenney, Rupp, Coleman, and Silvey, CC., concur.

Nancy Dippell, Senior Regulatory Law Judge

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 24<sup>th</sup> day of May 2018.



Morris L. Woodruff Secretary

# MISSOURI PUBLIC SERVICE COMMISSION

## May 24, 2018

### File/Case No. ET-2018-0132

# Missouri Public Service

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely.

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Morris L. Woodruff Secretary

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.