

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 9<sup>th</sup> day of May, 2024.

In the Matter of the Request of Liberty )  
Utilities (Missouri Water) LLC d/b/a Liberty )  
for Authority to Implement a General Rate ) **File No. WR-2024-0104**  
Increase for Water and Wastewater )  
Service Provided in its Missouri Service )  
Areas )

**ORDER SETTING PROCEDURAL SCHEDULE**

Issue Date: May 9, 2024

Effective Date: May 9, 2024

On March 13, 2024, the Commission ordered the Staff of the Commission (Staff) to file a joint proposed procedural schedule on behalf of all of the parties. Staff did so on April 24, 2024.

The Commission has reviewed the proposed procedural schedule and will adopt it with some modifications, setting local public hearings from the dates proposed.

The Commission will set a procedural conference in order to discuss the post-hearing portion of the proposed procedural schedule, and specifically, the briefing schedule. For the convenience of the parties, they may appear by telephone at the procedural conference as set out below.

**THE COMMISSION ORDERS THAT:**

1. The following procedural schedule is established:

<b>Discovery Conference/Procedural Conference</b>	-	<b>May 20, 2024</b>
<b>Discovery Conference</b>	-	<b>June 17, 2024</b>

<b>Liberty to Provide Update through April 30, 2024</b>	-	<b>July 1, 2024</b>
<b>Discovery Conference</b>	-	<b>July 15, 2024</b>
<b>Discovery Conference</b>	-	<b>August 16, 2024</b>
<b>Direct Testimony-Revenue Requirement—Non-Company</b>	-	<b>August 20, 2024</b>
<b>Direct Testimony-Rate Design—Non-Company</b>	-	<b>September 10, 2024</b>
<b>Discovery Conference</b>	-	<b>September 12, 2024</b>
<b>Local Public Hearings (TBD)</b>	-	<b>September 15, 2024-October 15, 2024</b>
<b>Technical Conference</b>	-	<b>September 17, 2024</b>
<b>List of Issues (Among Parties)</b>	-	<b>September 17, 2024</b>
<b>Rebuttal Testimony</b>	-	<b>September 27, 2024</b>
<b>Technical Conference</b>	-	<b>October 9-10, 2024</b>
<b>Discovery Conference</b>	-	<b>October 15, 2024</b>
<b>Surrebuttal Testimony</b>	-	<b>October 24, 2024</b>
<b>Settlement Conference</b>	-	<b>October 30, 2024</b>
<b>List of Issues, Order of Witnesses, Order of Cross-Examination, Order of Opening Statements</b>	-	<b>November 1, 2024</b>
<b>Non-Utility Parties Values of Issues for Reconciliation, Last Day to Request Discovery</b>	-	<b>November 4, 2024</b>
<b>Position Statements</b>	-	<b>November 8, 2024</b>
<b>Last Day for Discovery Responses</b>	-	<b>November 12, 2024</b>
<b>Reconciliation Filed</b>	-	<b>November 13, 2024</b>

**Evidentiary Hearing**

- **November 18-22, 2024,  
beginning the first day at  
9:00 a.m.**

**Operation of Law**

- **February 10, 2025**

2. The parties shall appear at a procedural conference to be held on May 20, 2024 at 10:00 a.m.

3. The procedural conference will convene in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri 65102. The building meets accessibility standards required by the Americans with Disabilities Act. Any person who needs additional accommodations to participate in the conference or hearing shall contact the Commission, no later than the day before the conference. Such contact shall be through the Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711. Any party may participate in the prehearing conference by telephone by dialing (573) 526-5904 or (866) 630-9352 at the start time of the conference.

4. The evidentiary hearing is scheduled for November 18-22, 2024, beginning at 9:00 a.m. The hearing shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. If you need accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

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

- A. The parties shall provide all workpapers, in electronic format, whenever feasible, within two business days following the date on which the related testimony is filed.
- B. 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 or outputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in electronic format by e-mailing or by delivery of a compact disc or other electronic storage media.
- C. All parties shall provide copies of testimony, schedules, exhibits, and pleadings to other counsel of record by electronic means and in electronic form essentially concurrently with the filing of such testimony, schedules, exhibits, or pleadings where the information is available in electronic format. Parties shall not be required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.
- D. Until August 29, 2024, the response time for all data requests shall be twenty (20) calendar days, with ten (10) calendar days to object or to notify the requesting party that more than twenty (20) calendar days will be needed to provide the requested information. Beginning August 20, 2024, the response time for all data requests shall be ten (10) calendar days, with five (5) business days to object or to notify the requesting party that more than ten (10) calendar days will be needed to provide the requested information. After the sooner of the filing of Rebuttal testimony or September 27, 2024, the response time for all data requests shall be five (5) business days, with three (3) business days to object or to notify the requesting party that more than five (5) business days will be needed to provide the requested information. Data requests sent after 5:00 p.m. on Monday-Friday or on a weekend or state/federal holiday will be considered served on the next business day. The Commission may rule on discovery motions filed after Surrebuttal testimony is filed without holding the conference required by 20 CSR 4240-2.090(8)(B).
- E. The parties shall comply with the following provisions regarding discovery:

- (1) A party with an unresolved discovery dispute may file a motion to request a discovery conference. Discovery conferences shall be scheduled by order of the presiding regulatory law judge with one week's prior notice to all parties.
- (2) Not less than two (2) business days before a discovery conference, any party that has a discovery disagreement or concern involving another party shall file a brief statement describing that disagreement or concern and identifying any other parties involved. Such statement does not need to be a formal motion to compel. Any party may attend a discovery conference, but only those parties involved in an identified discovery disagreement must attend. If the parties do not identify any discovery disagreements or concerns as described herein, the presiding officer may cancel the conference.
- (3) Discovery conferences shall be held in Room 305, beginning at 10:00 a.m., at the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, with remote connectivity via WebEx to be provided upon any Party's request. These will be on the record and shall be transcribed by a court reporter.
- (4) Any pending written discovery motion may be taken up at a discovery conference and may be ruled upon by the presiding regulatory law judge either on the record, or in a written order.
- (5) All data requests, subpoenas, or other discovery requests shall be issued no later than November 4, 2024. With respect to deposing a witness, so long as a notice of deposition is issued by November 4, 2024, the deposition may occur, notwithstanding that the deposition will take place after November 4, 2024, or that there could be other conditions that must be satisfied prior to the deposition.
- (6) All motions to compel a response to any discovery request related to the case shall be filed no later than November 11, 2024.
- (7) The parties shall make an effort to not include confidential information in data request questions and the parties shall make an effort not to over-designate information as confidential. If confidential information must be included in data request questions, the confidential information should be appropriately designated as such pursuant to 4 CSR 240-2.135. Responsibility to make this designation is upon the party

claiming such. Other parties are entitled to rely on the presence or absence of such designation.

(8) Any data requests issued by or to Staff shall be submitted and responded to in the Commission's Electronic Filing and Information System (EFIS). All data requests other than those issued by or to Staff, as well as all objections to data requests, or notifications of the need for additional time to respond, shall be sent by e-mail to counsel for the other parties. Counsel may designate other counsel to be added to the certified service list and shall assume responsibility for compliance with any restrictions on confidentiality. If any party responds to a data request in EFIS, the response is available in EFIS to all counsel on the certified service list. Data request responses, other than responses to data requests issued by or to Staff, shall be served on counsel for the requesting party's employee or representative who submitted the data request and shall be served electronically, if feasible and not voluminous as defined by Commission rule. 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 in writing a copy of the responses from the party answering the data request; thereby providing the responding party the opportunity to object. If a data request has been responded to, a party's request for a copy of the response shall timely be responded to, considering that the underlying data request has already been responded to.

F. Testimony shall be prefiled as defined in Commission Rule 20 CSR 4240-2.130. All parties must comply with this rule, including the requirement that testimony be filed on line-numbered pages.

G. 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, the order of party cross-examination for each witness, and the order of opening statements. The list of issues shall be stated with particularity. If the parties are unable to agree to an issues list, each party shall file a separate issues list.

H. Each party shall file a simple and concise statement summarizing its position on each disputed issue. Position statements shall track the list of issues. Any position statement shall set forth any order requested, cite any law authorizing that relief, and allege

facts relevant under that law with citations to any pre-filed testimony in support.

- I. All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 20 CSR 4240-2.080. 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 unresolved issues that the parties believe require decision by the Commission.
- J. 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 Presiding Judge, and all counsel.
- K. Exhibit numbers are assigned in the following manner:

Liberty Utilities	1-99
Commission Staff	100-199
Office of the Public Counsel	200-299
Holiday Inn Club Vacation, Inc.	300-399
City of Bolivar, Missouri	400-499

If any party requires additional exhibit numbers, it may add a 1 to the beginning of its assigned numbers. For example, if Liberty Utilities has exhibits in addition to exhibit number 99, its next exhibit numbers would be 1001, 1002, 1003, etc.

- L. Each party shall prepare a list of its pre-filed, pre-marked exhibits and submit a copy of that list to every other party and to the regulatory law judge no later than November 8, 2024. The lists shall not be filed in the EFIS case file. Exhibits that may be offered during cross-examination, but which have not been pre-filed, need not be included on the list. However, when those documents are offered during the hearing, they will be assigned a number from that party's number group.

6. This order shall be effective when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Nancy Dippell". The signature is written in a cursive, flowing style.

Nancy Dippell  
Secretary

Hahn, Ch., Coleman, Holsman,  
and Kolkmeyer, CC., concur.  
Mitchell, C., abstains.

Clark, Senior Regulatory Law Judge

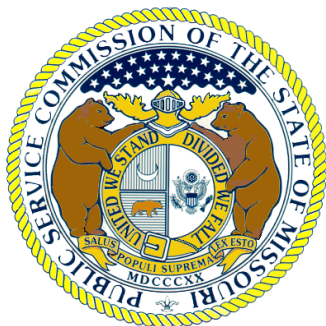


**STATE OF MISSOURI**

**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 9<sup>th</sup> day of May 2024.



*Nancy Dippell*  
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Nancy Dippell  
Secretary

**MISSOURI PUBLIC SERVICE COMMISSION**

**May 9, 2024**

**File/Case No. WR-2024-0104**

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

*Sincerely,*



**Nancy Dippell  
Secretary**

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