

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Claude Scott,)	
)	
Complainant)	
)	<u>File No. WC-2020-0407</u>
v.)	
)	
Missouri-American Water Company,)	
)	
Respondent)	

NOTICE OF HEARING AND ORDER SETTING PROCEDURAL SCHEDULE

Issue Date: September 21, 2020

Effective Date: September 21, 2020

On June 22, 2020, Claude Scott filed a complaint with the Commission against Missouri-American Water Company (MAWC). On August 27, 2020, the Commission held a prehearing conference in this matter. During the conference, the regulatory law judge requested that Staff file, on behalf of the parties, a joint proposed procedural schedule, or provide a status report, no later than September 3, 2020. On September 3, 2020, Staff counsel advised, via e-mail copied to all parties, that the parties conferred about a procedural schedule, but Staff counsel was unable to confirm a final submission with Complainant, Mr. Scott. The Commission directed Staff to file a proposed procedural schedule, reflecting the parties' agreement and discussions as of the time of filing, no later than September 10, 2020. In addition, the Commission directed Staff to state the parties' attempts to contact Mr. Scott if Staff was unable to confirm a joint proposal with Complainant.

On September 10, 2020, Staff submitted, on behalf of Staff and MAWC, a *Timeline of Events and Joint Procedural Schedule*. Staff's filing indicates Mr. Scott did not return

multiple e-mail messages and Staff counsel was not able to contact Mr. Scott by phone. Based on the understanding that Mr. Scott participated in an initial consultation on a hearing date and because this procedural order provides ample notice, the Commission will adopt the following procedural schedule and establish the time and place for evidentiary hearing.

The parties to the joint proposed procedural schedule agree the Commission may schedule a remote hearing if an in-person hearing is not possible on the scheduled date. Because of uncertainty in regard to the COVID-19 pandemic, the Commission will schedule this hearing as a remote hearing to enable the parties to prepare at the outset for hearing in that format.

Accordingly, the Commission will provide for exchange of exhibits between the parties, as allowed by Commission Rule 20 CSR 4240-2.130. The parties will exchange exhibits before the hearing as provided below, with the purpose of providing all parties and the presiding officer with access to all anticipated exhibits while also supplying Complainant with a paper copy of all exhibits to facilitate his participation. During the hearing, exhibits may be offered on the record by reference. In addition, the Commission will direct Staff to file the parties' stipulation of undisputed facts and the issues, exhibit and witness lists.

THE COMMISSION ORDERS THAT:

1. The following procedural schedule is established:
 - Last day to request discovery October 16, 2020
 - Stipulation of undisputed facts November 6, 2020
 - Issues, exhibit and witness lists November 9, 2020

- Deadline to exchange documents and file exhibit disclosures in EFIS November 12, 2020
- Evidentiary hearing November 19, 2020
- Initial briefs (optional) December 18, 2020
- Reply briefs (optional) December 31, 2020

2. Documents included in filings in this case in EFIS may be identified by reference during the hearing to be offered as exhibits.

3. Exchange of documents and filing of an exhibit disclosure under this order does not constitute admission to the record. Proposed exhibits must be referenced during the evidentiary hearing to be offered on the record and are subject to evidentiary rulings by the presiding officer.

COMPLAINANT'S EXHIBIT DISCLOSURE

4. No later than November 12, 2020, Complainant shall file in EFIS, as a single, page-numbered submission, copies of all documents he intends to use at an evidentiary hearing in this matter that are not already included in filings in this case (Complainant's exhibit disclosure). Complainant's filing shall be designated confidential. Complainant may make such a filing directly through EFIS, or by mail to:

Secretary
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Submission by mail must be received by no later than November 12, 2020.

5. Commission Staff who receive a submission from Complainant, as described above, shall assist in completing the confidential EFIS filing in this case, which will be accessible to all other parties.

MAWC'S AND STAFF'S EXHIBIT DISCLOSURES

6. No later than November 12, 2020, MAWC shall file in EFIS, as a single, page-numbered submission, copies of all documents MAWC intends to offer as exhibits in an evidentiary hearing in this matter that are not already included in any filing in this case (MAWC's exhibit disclosure). MAWC's filing shall be designated confidential as appropriate.

7. No later than November 12, 2020, MAWC shall file in EFIS a statement of MAWC's efforts to deliver a copy of MAWC's exhibit disclosure by U.S. Mail and/or courier service to Complainant's address of record by no later than November 12, 2020. Such a filing shall include a confirmation of delivery, if available.

8. No later than November 12, 2020, Staff shall file in EFIS, as a single page-numbered submission, copies of all documents Staff intends to offer as exhibits in an evidentiary hearing in this matter that are not already included in any filing in this case (Staff's exhibit disclosure). Staff's filing shall be designated confidential as appropriate.

9. No later than November 12, 2020, Staff shall file in EFIS a statement of Staff's efforts to deliver a copy of Staff's exhibit disclosure by U.S. Mail and/or courier service to Complainant's address of record by no later than November 12, 2020. Such a filing shall include a confirmation of delivery, if available.

10. The purpose of the filing of such exhibit disclosures is to provide secure files that can be consulted by the Commission and the parties for the purpose of disclosing exhibits and conducting a hearing. Delivery of paper copies of such disclosures to Complainant is intended to facilitate Complainant's participation in the hearing. **As such, Complainant shall anticipate and accept such deliveries from MAWC and Staff.**

EVIDENTIARY HEARING

11. An evidentiary hearing shall be held on **November 19, 2020**, via telephone and/or video conference. The hearing shall begin at **9:15 a.m.** All parties shall appear.

12. The parties shall appear at the hearing by telephone or video conference, which can be accessed by dialing, toll-free, 1 (855) 718-6621 and entering access code **133 552 2019**, followed by #, at the appropriate time. Any individual who is unable to connect via the toll-free number may dial 1 (650) 469-3207 and enter the access code above, followed by #, at the appropriate time.

13. In addition, the Webex link will be distributed by email to all parties.

14. Those who require additional accommodations to participate in this hearing may call the Public Service Commission's hotline, before the hearing, at 1-800-392-4211 (voice) or Relay Missouri at 711.

15. The Commission's data center shall mail a copy of this order to Complainant by U.S. Mail addressed to Complainant's address of record.

16. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Jana C. Jacobs, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo (2016).

Dated at Jefferson City, Missouri,
on this 21st day of September, 2020.

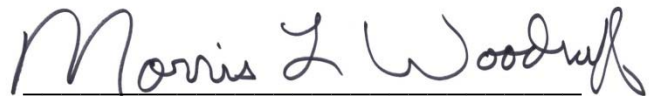
STATE OF MISSOURI

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 21st day of September, 2020.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

September 21, 2020

File/Case No. WC-2020-0407

**Missouri Public Service
Commission**

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel

Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opc@opc.mo.gov

Claude Scott

Claude Scott
3725 Geraldine Ave.
Saint Ann, MO 63074-2004
claude17scott@gmail.com

**Missouri Public Service
Commission**

Travis Pringle
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
Travis.Pringle@psc.mo.gov

**Missouri-American Water
Company**

Jennifer L Hernandez
312 E. Capitol Avenue
PO Box 456
Jefferson City, MO 65102
jhernandez@brydonlaw.com

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

Sincerely,



**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.