

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

In the Matter of the Application of The Empire )  
District Electric Company d/b/a Liberty for a )  
Certificate of Convenience and Necessity to ) **File No. EA-2025-0299**  
Support Resource Adequacy )

**PROPOSED JOINT PROCEDURAL SCHEDULE**

**COMES NOW** the Staff of the Missouri Public Service Commission (“Staff”), by and through counsel, and, on the basis of extended discussion with all parties, tenders the following Proposed Joint Procedural Schedule. The parties here expressly ask the Commission **to order that the hearing transcripts be prepared expeditiously.** Staff also advises that this schedule has been agreed to by all parties, **but expressly asks all parties to review this pleading closely and immediately advise the Commission of any ‘slips’ or objections. The parties also suggest an early follow-up procedural conference with the Commission to deal with hearing date(s) issues.**

April 16, 2026	Local Public Hearing
April 29, 2026	Discovery Conference
May 7, 2026	All Rebuttal/Staff Report in Lieu of Rebuttal <sup>1</sup>
May 13, 2026	Discovery Conference
May 27, 2026	Surrebuttal/Cross-Surrebuttal
May 29, 2026	Preliminary List of Issues Amongst Parties
June 2, 2026	Settlement Conference

<sup>1</sup> Staff may file rebuttal testimony, or, in lieu, a report and recommendation

June 3, 2026	List of Issues and Witnesses, Order of Openings, Witnesses and Cross Examination
June 10, 2026	Last Day to Request Discovery
June 10, 2026	List of Exhibits
June 10, 2026	Position Statements
June 16-17, 2026 <sup>2</sup>	Evidentiary Hearing
June 22, 2026	Transcripts due
July 10, 2026	Initial Briefs
July 17, 2026	Reply Briefs
August 14, 2026	Order

The parties suggest that the procedural order include the following procedural provisions:

- (a) All parties must comply with the requirements of Commission Rule 20 CSR 4240-2.130 for prepared testimony, including the requirement that testimony be filed using line-numbered pages.
- (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.
- (d) 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 remaining unresolved issues that are to be decided by the Commission.

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<sup>2</sup> The hearing schedule will need to accommodate a moving picture because of the competing duties which many witnesses will have with respect to other cases and matters. **OPC specifically requests that the June 16 start time be 1 p.m.** The parties suggest an early follow-up procedural conference with the Commission to deal with hearing date(s) issues

- (e) Copies of prefiled testimony and documents served upon the parties before a hearing need not be provided to the court reporter for marking as exhibits where the record clearly identifies the prefiled testimony and documents that are made hearing exhibits. 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 already exist in electronic format into electronic format.
- (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 e-mail.
- (h) Counsel for each party shall receive electronically from all other parties 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. Also regarding Staff-issued data requests, if the description contains highly confidential or proprietary 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, objections to data requests, and notifications respecting the need for additional time to respond to 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 on counsel for the requesting party, unless waived by counsel, and on 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. Liberty shall 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 or highly 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 20 CSR 4240-2.135. If highly confidential information must be included in a data request, the highly confidential information shall be appropriately designated as such.

- (j) From and after April 1, 2026, the response time for all data requests shall be twelve (12) calendar days, with three (3) business days to object or notify the requesting party that more than twelve (12) calendar days will be needed to provide the requested information. From and after rebuttal testimony is filed (May 7, 2026) the response time for all data requests shall be five (5) calendar days, with two (2) business days to object or notify the requesting party that more than five (5) calendar days will be needed to provide the requested information.
- (k) Discovery conferences will be held either virtually via phone and/or computer or at the Commission's office at the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, in a room to be designated by the Commission. Each discovery conference will begin at 10:00 a.m.
- (l) Not less than three business days before each 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.
- (m) Discovery conferences shall be on the record and will be transcribed by a court reporter if requested by the parties.
- (n) 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.
- (o) Commission Rule 20 CSR 4240-2.090's requirement that a party must seek a telephone conference with the presiding officer before filing a discovery motion is waived.
- (p) 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 document, 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.
- (q) 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.
- (r) The Settlement conference provided for in the Procedural Schedule is designed to facilitate information sharing and encourage settlement, but does not impose on any party the obligation to participate.

**WHEREFORE**, Staff respectfully prays that the Commission issue its order adopting the Jointly Proposed Procedural Schedule and Procedural Requirements proposed herein.

**Respectfully Submitted,**

/s/ Paul T. Graham #30416

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**CERTIFICATE OF SERVICE**

The undersigned certifies by his signature below that on March 30, 2026, he filed the above captioned pleading in the EFIS file of the Missouri Public Service Commission.

/s/ Paul T. Graham