

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

IN THE MATTER OF THE TARIFF FILING OF THE
EMPIRE DISTRICT ELECTRIC COMPANY TO
IMPLEMENT A GENERAL RATE INCREASE FOR RETAIL
ELECTRIC SERVICE PROVIDED TO CUSTOMERS IN ITS
MISSOURI SERVICE AREA

Case No. ER-2004-0570

ORIGINAL

Issues/Settlement Conference - Volume 4

October 4, 2004

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Missouri
Public Service Commission

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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS
Issues/Settlement Conference
October 4, 2004
Jefferson City, Missouri
Volume 4

In the Matter of the Tariff Filing)
of The Empire District Electric)
Company to Implement a General)
Rate Increase for Retail Electric) Case No. ER-2004-0570
Service Provided to Customers in)
Its Missouri Service Area.)

KEVIN A. THOMPSON, Presiding,
DEPUTY CHIEF REGULATORY LAW JUDGE.

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1 PROCEEDINGS

2 JUDGE THOMPSON: Welcome to what we used to
3 call a late prehearing conference and which is now called
4 a settlement conference or issues conference or something
5 of that sort.

6 We are here in the matter of the tariff
7 filing of the Empire District Electric Company to
8 implement a general rate increase for retail electric
9 service provided to customers in its Missouri service
10 area. This is Case ER-2004-0570. My name is Kevin
11 Thompson. I'm the Regulatory Law Judge assigned to
12 preside over this matter.

13 We will take oral entries of appearance at
14 this time, beginning with Empire.

15 MR. SWEARENGEN: Thank you, Judge. Let the
16 record show James C. Swearengen, Dean L. Cooper, Paul A.
17 Boudreau, Charles Brent Stewart and Jeffrey A. Keevil, all
18 appearing on behalf of the Empire District Electric
19 Company. Thank you.

20 JUDGE THOMPSON: Thank you, Mr. Swearengen.
21 Staff?

22 MR. FREY: Thanks, your Honor. Steve
23 Dottheim, Tim Schwarz, Keith Krueger, Bob Berlin, David
24 Meyer, Mary Weston, Nathan Williams and Dennis L. Frey
25 appearing on behalf of the Staff of the Missouri Public

1 Service Commission, Post Office Box 360, Jefferson City,
2 Missouri 65102.

3 JUDGE THOMPSON: Thank you. Public
4 Counsel?

5 MR. COFFMAN: Appearing on behalf of the
6 Office of the Public Counsel, John Coffman, Box 2230,
7 Jefferson City, Missouri 65102.

8 JUDGE THOMPSON: Thank you. We'll turn to
9 the intervenors.

10 MR. MOLTENI: Ronald Molteni, Assistant
11 Attorney General, appearing on behalf of the Department of
12 Natural Resources Energy Center.

13 JUDGE THOMPSON: Thank you.

14 MR. CONRAD: Stuart W. Conrad, and also
15 enter the appearance of Jeremiah D. Finnegan, Finnegan
16 Conrad & Peterson in Kansas City at 3100 Broadway,
17 Suite 1209, Kansas City, Missouri 64111, appearing on
18 behalf of Intervenor Praxair and Explorer Pipeline.

19 JUDGE THOMPSON: Thank you. Mr. Byrne?

20 MR. BYRNE: Tom Byrne appearing on behalf
21 of Union Electric Company, doing business as AmerenUE,
22 1901 Chateau Avenue, St. Louis, Missouri 63103.

23 JUDGE THOMPSON: Any other Intervenor?

24 Okay. Very well. You guys know better
25 than I the purpose of this prehearing conference.

1 Mr. Frey, you have something to add?

2 MR. FREY: Judge, I just would mention that
3 Brian McCartney contacted me. He represents Aquila in
4 this case, and indicated that their interest being just
5 depreciation, he wasn't planning on being here at the
6 session today.

7 JUDGE THOMPSON: Very well. He will have
8 detention. Anyone else?

9 Okay. Anything further we need to do this
10 morning. Mr. Coffman?

11 MR. COFFMAN: Your Honor, I thought I would
12 take this opportunity to again raise a growing concern
13 about the scheduling of local public hearings.

14 JUDGE THOMPSON: We are in the process of
15 scheduling those now. It will be in the week of -- either
16 the week of Thanksgiving or the week before the week of
17 Thanksgiving. Most likely the Monday of the week of
18 Thanksgiving.

19 What we're anticipating is both of them on
20 the same day, one over the lunch hour, one in the evening
21 time. The two cities are only about a two-hour driving
22 distance apart, according to Yahoo at least. Okay? We
23 haven't yet finalized the availability of the venues, so
24 when that's -- I expect an Order to issue today.

25 MR. COFFMAN: Would it be appropriate to

1 talk with the parties about making sure that that date was
2 acceptable or convenient?

3 JUDGE THOMPSON: You may talk all you want.
4 Is that date acceptable or convenient for you,
5 Mr. Coffman?

6 MR. COFFMAN: I would need to check.

7 JUDGE THOMPSON: Very well. I look forward
8 to hearing from you. Anyone else?

9 Okay. There being nothing further, this
10 will conclude the recorded portion of the late prehearing
11 conference. I understand you-all will be working
12 diligently all week long to settle this case, and I can
13 only applaud your efforts in advance.

14 We are in recess. Thank you.

15 WHEREUPON, the recorded portion of the
16 concluded.

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