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STATE OF MISSOURI

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PUBLIC SERVICE COMMISSION

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TRANSCRIPT OF PROCEEDINGS

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Prehearing Conference

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July 10, 2006

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Jefferson City, Missouri

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Volume 5

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In the Matter of The Empire)

District Electric Company of)

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Joplin, Missouri, for Authority to)

File Tariffs Increasing Rates for) Case No. ER-2006-0315

14

Electric Service Provided to)

Customers in the Missouri Service)

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Area of the Company)

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COLLEEN M. DALE, Presiding,
CHIEF REGULATORY LAW JUDGE.

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REPORTED BY:

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KELLENE K. FEDDERSEN, CSR, RPR, CCR
MIDWEST LITIGATION SERVICES

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20 FOR: Staff of the Missouri Public
21 Service Commission.
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1 P R O C E E D I N G S

2 JUDGE DALE: We are here in the matter of
3 the tariff filing of the Empire District Electric Company
4 to implement a general rate increase for retail electric
5 service provided to customers in the Missouri service
6 area, Case No. ER-2006-315. I am Colleen M. Dale. I'm
7 the hearing examiner assigned to this case.

8 Will the counsel please make their entries
9 of appearance.

10 MR. SWEARENGEN: James C. Swearingen and
11 Dean Cooper of Brydon, Swearingen & England, 312 East
12 Capitol Avenue, Jefferson City, Missouri, appearing on
13 behalf of the Empire District Electric Company.

14 MS. CARTER: Diana Carter with Brydon,
15 Swearingen & England, same address as you were just given,
16 appearing on behalf of Aquila.

17 MR. FREY: Dennis L. Frey and Steve
18 Dottheim, representing the Staff of the Missouri Public
19 Service Commission, Post Office Box 360, Jefferson City,
20 Missouri 65102.

21 MR. CONRAD: Stuart W. Conrad and David L.
22 Woodsmall of Finnegan, Conrad & Peterson. My address is
23 3100 Broadway, Suite 1209, Kansas City, Missouri 64111.
24 Mr. Woodsmall is here in our Jefferson City office, which
25 is 428 East Capitol, Suite 300, I believe that is 65101.

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1 MR. MILLS: On behalf of the Office of the
2 Public Counsel and the public, my name is Lewis Mills. My
3 address is Post Office Box 2230, Jefferson City, Missouri
4 65102.

5 MS. WOODS: Shelley Woods, Assistant
6 Attorney General, Post Office Box 899, Jefferson City,
7 Missouri 65102, appearing on behalf of the Missouri
8 Department of Natural Resources.

9 MR. FISCHER: James M. Fischer, Fischer &
10 Dority, PC, 101 Madison Street, Jefferson City, Missouri
11 65101, appearing on behalf of Kansas City Power & Light.

12 JUDGE DALE: Is there anyone else? Okay.
13 Are there any pending matters that I need to address? I
14 know we have a number of motions, a motion and
15 applications for rehearing, several of which are still
16 pending. If and when the Commission makes a decision,
17 I'll let you know.

18 MR. WOODSMALL: Do you know if those are
19 going to be on the agenda tomorrow?

20 JUDGE DALE: I believe that the ones
21 concerning whether or not the interim energy charge
22 numbers can be rolled into base rates will be heard again
23 tomorrow. The others, no.

24 Do any of you have any questions for me
25 before you begin your negotiations?

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1 MR. CONRAD: There is a presently pending
2 schedule for an order as a result of an Order to file some
3 supplementary information. That will probably be
4 discussed here early on to see whether there might be the
5 potential of seeing whether that could be pushed out, but
6 I don't think we have anything to report or to request at
7 this point. But I presume you would be available through
8 the day today or tomorrow if it was necessary to address
9 that matter?

10 JUDGE DALE: Yes. And I can tell you that
11 if there is a need to push that out, I --

12 MR. CONRAD: You remember what I'm speaking
13 of?

14 JUDGE DALE: The six additional questions?

15 MR. CONRAD: I think that's correct. I
16 don't remember the title.

17 JUDGE DALE: I don't believe there will be
18 any problem pushing that out. The hope is that
19 Commissioner questions will be given to the participants
20 in a case in time for them to file answers, cross on them
21 and brief them, rather than asking questions from the
22 Bench, getting last-minute late-filed exhibits that people
23 don't really have an opportunity to address.

24 So if you need to have more time for that,
25 I can't imagine that there would be a problem with

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1 extending that.

2 Is there anything else? Then we will go
3 off the record and we'll let you continue your
4 negotiations.

5 WHEREUPON, the recorded portion of the
6 prehearing conference was concluded.

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