

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
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5 TRANSCRIPT OF PROCEEDINGS
6 True-Up Hearing
7 June 19, 2008
8 Jefferson City, Missouri
9 Volume 11

10 In the Matter of The Empire)
District Electric Company of)
11 Joplin, Missouri for Authority to)
File Tariffs Increasing Rates for) Case No. ER-2008-0093
12 Electric Service Provided to)
Customers in the Missouri Service)
13 Area of The Company)

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MORRIS WOODRUFF, Presiding,
DEPUTY CHIEF REGULATORY LAW JUDGE.

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1 P R O C E E D I N G S

2 (EXHIBIT NOS. 33, 34, 232, 233, 234, 317
3 AND 508 WERE MARKED FOR IDENTIFICATION BY THE REPORTER.)

4 JUDGE WOODRUFF: All right. Good morning,
5 everyone. Welcome to the true-up hearing for the Empire
6 District Electric Company's rate case. This is
7 ER-2008-0093. We'll begin today by taking entries of
8 appearance, beginning with Empire.

9 MR. MITTEN: James C. Swearngen and Russ
10 Mitten appearing on behalf of the Empire District Electric
11 Company.

12 JUDGE WOODRUFF: Thank you. And for Staff?

13 MR. REED: Steve Reed for Staff, P.O.
14 Box 360, Jefferson City, Missouri 65102.

15 JUDGE WOODRUFF: For Public Counsel?

16 MR. MILLS: On behalf of the Office of the
17 Public Counsel and the Public, Lewis Mills. My address is
18 Post Office Box 2230, Jefferson City, Missouri 65102.

19 JUDGE WOODRUFF: And for the Industrial
20 Intervenors?

21 MR. WOODSMALL: David Woodsmall appearing
22 on behalf of the Industrial Intervenors. I previously
23 noted my address for the record.

24 JUDGE WOODRUFF: Thank you. And for DNR?

25 MS. WOODS: Shelley Woods for the Missouri

1 Department of Natural Resources, Post Office Box 899,
2 Jefferson City, Missouri 65102.

3 JUDGE WOODRUFF: Before we get into
4 anything else, there is one pending matter I wanted to
5 bring up. The Industrial Intervenors filed late-filed
6 Exhibit 507, which is the list of cases in which
7 Mr. Gorman has testified. Does anyone have any objection
8 to the admission of that late-filed document?

9 (No response.)

10 JUDGE WOODRUFF: Hearing no objection, it
11 will be admitted.

12 (EXHIBIT NO. 507 WAS RECEIVED INTO
13 EVIDENCE.)

14 JUDGE WOODRUFF: All right. And from
15 discussions with the parties, it's my understanding that
16 there are no issues to be resolved for true-up or at least
17 no testimony that needs to be heard today; is that
18 correct?

19 MR. REED: That's correct for Staff, Judge.

20 MR. MILLS: There are some issues that sort
21 of carry over from -- with new numbers from the main phase
22 of the case, but there are no issues that need to be
23 tried.

24 JUDGE WOODRUFF: Very good. Previously,
25 before going on the record, we marked exhibits. We'll

1 need to have those offered into evidence, beginning with
2 Empire.

3 MR. MITTEN: We would offer into evidence
4 Exhibit No. 33, which is the true-up direct testimony of
5 Jayna R. Long, and Exhibit No. 34, which is the true-up
6 rebuttal testimony of W. Scott Keith.

7 JUDGE WOODRUFF: Any objections to the
8 admission of those documents?

9 (No response.)

10 JUDGE WOODRUFF: Hearing none, they will be
11 received.

12 (EXHIBIT NOS. 33 AND 34 WERE RECEIVED INTO
13 EVIDENCE.)

14 JUDGE WOODRUFF: Then for Staff.

15 MR. REED: Three pieces of testimony this
16 morning. The first is Exhibit 232, the true-up direct of
17 Curt Wells, Exhibit 233, the true-up direct of Mark
18 Oligschlaeger, and No. 234, the true-up direct accounting
19 schedules of Staff. I'd move for admission of those three
20 at this time.

21 JUDGE WOODRUFF: Exhibit 232, 233 and 234
22 have been offered into evidence. Are there any objections
23 to their receipt?

24 (No response.)

25 JUDGE WOODRUFF: Hearing none, they will be

1 received into evidence.

2 (EXHIBIT NOS. 232, 233 AND 234 WERE
3 RECEIVED INTO EVIDENCE.)

4 JUDGE WOODRUFF: For the Industrials?

5 MR. WOODSMALL: Thank you, your Honor. We
6 previously marked Exhibit 508, which is the true-up
7 rebuttal of Maurice Brubaker, and I'd offer that into
8 evidence.

9 JUDGE WOODRUFF: Exhibit 508 has been
10 offered into evidence. Any objections to its receipt?

11 (No response.)

12 JUDGE WOODRUFF: Hearing none, it will be
13 received into evidence.

14 (EXHIBIT NO. 508 WAS RECEIVED INTO
15 EVIDENCE.)

16 JUDGE WOODRUFF: And for OPC?

17 MR. MILLS: I'd offer Exhibit 317, which is
18 the true-up rebuttal testimony of Public Counsel witness
19 Ryan Kind.

20 JUDGE WOODRUFF: 307's been offered into
21 evidence. Any objections to its receipt?

22 (No response.)

23 MR. WOODSMALL: 317?

24 JUDGE WOODRUFF: 317. Hearing no
25 objections, it will be received into evidence.

1 (EXHIBIT NO. 317 WAS RECEIVED INTO
2 EVIDENCE.)

3 JUDGE WOODRUFF: I believe that's all the
4 testimony that was filed for the true-up. Any other
5 matters anyone wants to bring up?

6 (No response.)

7 JUDGE WOODRUFF: All right. And I believe
8 Reply Briefs will be filed on the 3rd of July; is that
9 correct? I see nods of agreement.

10 All right. Anything else? We are
11 adjourned. Thank you.

12 WHEREUPON, the hearing of this case was
13 concluded.

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1	EXHIBITS INDEX		
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1 C E R T I F I C A T E

2 STATE OF MISSOURI)
3) ss.
4 COUNTY OF COLE)

5 I, Kellene K. Feddersen, Certified
6 Shorthand Reporter with the firm of Midwest Litigation
7 Services, and Notary Public within and for the State of
8 Missouri, do hereby certify that I was personally present
9 at the proceedings had in the above-entitled cause at the
10 time and place set forth in the caption sheet thereof;
11 that I then and there took down in Stenotype the
12 proceedings had; and that the foregoing is a full, true
13 and correct transcript of such Stenotype notes so made at
14 such time and place.

15 Given at my office in the City of
16 Jefferson, County of Cole, State of Missouri.

17 _____
18 Kellene K. Feddersen, RPR, CSR, CCR
19 Notary Public (County of Cole)
20 My commission expires March 28, 2009.
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