

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
TRANSCRIPT OF PROCEEDINGS

FILED³

DEC 17 2004

Public Hearing
November 22, 2004
Reeds Spring, Missouri
Volume 5

Missouri Public
Service Commission

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

ORIGINAL

KEVIN A. THOMPSON, Presiding
DEPUTY CHIEF REGULATORY LAW JUDGE
STEVE GAW, Chairman
ROBERT M. CLAYTON, III
JEFF DAVIS,
COMMISSIONERS

REPORTED BY: Patricia L. Snider, C.C.R.,
Holliday Reporting Service, Inc.

FILED

DEC 16 2004

Missouri
Public Service Commission

APPEARANCES

**FOR EMPIRE DISTRICT
ELECTRIC COMPANY:**

4

MR. PAUL BOUDREAU
Brydon, Swearengen & England
312 E. Capitol Avenue
P.O. Box 456

Jefferson City, Missouri

**FOR THE OFFICE OF
THE PUBLIC COUNSEL:**

MR. JOHN COFFMAN
Attorney at Law
Box 2230

Jefferson City, Missouri 65102

FOR THE STAFF:

MS. MARY WESTON
Attorney at Law
P.O. Box 360

Jefferson City, Missouri 65102

I N D E X

Page/Line

MEETING COMMENCES

(sic) typed as spoken
(ph) phonetic spelling

1 BY JUDGE THOMPSON: We are here
2 in the matter of the tariff filing of The
3 Empire District Electric Company to implement
4 a general rate increase for retail electric
5 service provided to customers in its Missouri
6 service area. This is case number ER-2004-
7 0570. At this time I would like to take
8 entries of appearance from counsel. Why
9 don't we begin with counsel here and then see
10 if we have any in Jefferson City. Mr.
11 Boudreau?

12 BY MR. BOUDREAU: Yes, thank
13 you. Let the record reflect the appearance
14 of Paul Boudreau with the firm of Brydon,
15 Swearengen & England, Post Office Box 456,
16 Jefferson City. Missouri 65102. Thank you.

17 BY JUDGE THOMPSON: Thank you,
18 Mr. Boudreau. Mr. Coffman?

19 BY MR. COFFMAN: John B. Coffman
20 appearing on behalf of the Office of the
21 Public Counsel, P.O. Box 2230, Jefferson
22 City, Missouri 65102.

23 BY JUDGE THOMPSON: Thank you,
24 Mr. Coffman. Do we have counsel in Jefferson
25 City?

1 BY MS. WESTON: Yes. Mary
2 Weston appearing on behalf of the staff of
3 the Missouri Public Service Commission. My
4 address is P.O. Box 360, Jefferson City,
5 Missouri 65102.

6 BY JUDGE THOMPSON: Thank you.
7 Any other counsel in Jefferson City? There
8 appears to be none. The first witness that I
9 have is Elise Crain. Ms. Crain, would you
10 please raise your right hand? Do you
11 solemnly swear or affirm that the testimony
12 you will give in this proceeding will be the
13 truth, the whole truth, and nothing but the
14 truth?

15 BY MS. CRAIN: Yes, I do.

16 BY JUDGE THOMPSON: Ms. Crain,
17 are you presently a customer of Empire
18 District Electric Company?

19 BY MS. CRAIN: I am.

20 BY JUDGE THOMPSON: Very well.
21 Please proceed.

22 BY MS. CRAIN: Okay. I have
23 written my remarks, not because I'm afraid to
24 speak, but I'm afraid to shut up, so I think
25 this will limit our time.

1 I today have two hats, both customer and
2 owner. As a customer I expect electric
3 service at my convenience and in sufficient
4 quantity and reasonably priced. I call
5 Saturday my Empire day because I have the
6 dish and clothes washers going, the dryer,
7 the lights, the air conditioning, the
8 computer and all its pieces all day long.
9 The service has always been available and I
10 expect it to continue and I'm willing to pay
11 more money for that availability. I use a
12 lot more power than I did 10 years ago and I
13 expect in another 10 years I will increase my
14 usage. I'm not real excited to be paying
15 more money, but I don't want my appliances
16 and my home damaged because of lack of power,
17 either a surge or a lapse of power.

18 My confidence is with Empire. Nothing
19 I've seen from the federal government makes
20 me believe the power grid is going to take
21 care of any of us in the future, so I have
22 some real concerns and Empire is our people
23 and we want to keep them on board.

24 As an investor/owner I appreciate the
25 stability of my investment and the return.

1 No spikes or valleys, steady, like my
2 service. This indicates strong intelligent
3 management. I also know Empire as a
4 corporate citizen. In our town of Ozark I
5 see them serving the Chamber.

6 I had an opportunity several years ago
7 during our City centennial to work with them
8 closely. I served on the Ozarks Public
9 Television Board with former Chair Myron
10 McKinney. He brought a wide variety of
11 experience and vision to that board and to
12 Southwest Missouri. I see their crews
13 installing new lines and responding to the
14 future growth of our community.

15 Empire was a loyal service station
16 customer to my aunt and uncle. When they
17 left the station, Blanche and Uncle were
18 janitors at Empire. My aunt's obituary will
19 list as survivors her friends at Empire
20 District Electric. Blanche lived across the
21 street from the Ozark office and I watched
22 the crews leave when there were storms here
23 and away and saw how Empire treats their
24 employees. It's the way we want to all be
25 treated.

1 I believe Empire is competitively priced
2 and their financial strength is vital to the
3 property growth of our community. I support
4 their request for additional compensation.
5 As I see a new subdivision or a business
6 being built I smile. New customers will now
7 receive first class service as I do.

8 BY JUDGE THOMPSON: Thank you,
9 ma'am. Does that conclude your remarks?

10 BY MS. CRAIN: It does.

11 BY JUDGE THOMPSON: Do we have
12 any questions from the bench? Chairman Gaw?

13 BY CHAIRMAN GAW: No thank you,
14 Judge. But just for a second I'd like to
15 thank anyone who is there today to make
16 remarks and we appreciate them taking time
17 out from their schedule to do so and look
18 forward to hearing from anyone else who is
19 here to testify. Thank you, Judge.

20 BY JUDGE THOMPSON: Thank you,
21 Chairman. Commissioner Murray?

22 BY CHAIRMAN GAW: She is not
23 available right at the moment.

24 BY JUDGE THOMPSON: Thank you,
25 sir.

1 BY CHAIRMAN GAW: Commissioner
2 Clayton is here.

3 BY JUDGE THOMPSON: Commissioner
4 Clayton?

5 BY COMMISSIONER CLAYTON: Were
6 you suggesting that I look like Commissioner
7 Murray? I hope not. I didn't have any
8 questions for Ms. Crain. I do appreciate her
9 coming as well as all the other participants
10 in the hearing. I appreciate her comments
11 and I have no questions at this time. Thank
12 you, Judge.

13 BY JUDGE THOMPSON: Thank you,
14 Commissioner. Commissioner Davis?

15 BY COMMISSIONER DAVIS: Ma'am,
16 did you say you were a shareholder of Empire?

17
18 BY MS. CRAIN: I am.

19 BY COMMISSIONER DAVIS: Is it a
20 large stake?

21 BY MS. CRAIN: No, it is not. I
22 think it's 200 shares. I'm one of the
23 biggies.

24 BY COMMISSIONER DAVIS: All
25 right. Thank you.

1 BY MS. CRAIN: You're welcome.

2 BY JUDGE THOMPSON: Mr.

3 Chairman, am I correct that Commissioner
4 Appling is not present?

5 BY COMMISSIONER GAW: That is
6 correct, Judge.

7 BY JUDGE THOMPSON: Thank you,
8 Chairman. Counsel, any questions?

9 BY MR. COFFMAN: No, sir.

10 BY MR. BOUDREAU: I have no
11 questions. Thank you.

12 BY JUDGE THOMPSON: Very well.
13 Thank you. You're excused.

14 BY MS. CRAIN: Thank you.

15 BY JUDGE THOMPSON: Do we have
16 anyone else who would like to give testimony
17 at this time? You're sure? Don't be shy.
18 Very well. Hearing that there are no other
19 witnesses at this time that will conclude the
20 local public hearing being held in this case
21 at Reeds Springs today. Thank you very much.
22 We are in recess.

23 (Hearing concluded at 12:45 p.m.)

24