

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

In the matter of The Empire District Gas)
Company of Joplin, Missouri for)
Authority to File Tariffs Increasing Rates)
for Gas Service Provided to Customers in)
the Missouri Service Area of the)
Company.)

Case No. GR-2009-0434
Tariff No. YG-2009-0855

STAFF RECOMMENDATION REGARDING PROPOSED CUSTOMER NOTICE

COMES NOW the Staff of the Missouri Public Service Commission (Staff), and respectfully states as follows:

1. On June 5, 2009, Empire filed with the Commission proposed tariff sheets bearing an effective date of July 5, 2009, which are designed to produce a gross annual revenue increase of approximately \$2.9 million for natural gas service.
2. On June 12, the Commission issued its Suspension Order and Notice (Order). Among other things, the Commission in its Order suspended the proposed tariff sheets until May 2, 2010, and directed that the parties file a proposed customer notice for the Commission's approval on or before July 23, 2009.
3. On July 23, 2009, Empire filed a request for additional time to file a proposed customer notice, which the Commission granted by its Order dated July 24, 2010.
4. On July 30, 2009, Empire filed its proposed customer notice.
5. Since July 30, 2009, a number of pleadings have been filed in this docket regarding the proposed customer notice. Also since that time, Staff's experience with the customer notice issued in Missouri Gas Energy's rate request, Case No. GR-2009-0355 which is similar to the proposed notice in this case has led Staff to recommend a change in procedures.

6. Staff's concerns specific to the notice filed in Case No. GR-2009-0355 are noted in its *Motion for Commission to Order Customer Comments Either Not Be Filed in EFIS or Be Filed as Non-Public and Motion for Expedited Treatment*, filed August 5, 2009.

7. In an attempt to address the concerns mentioned in Staff's *Motion* in Case No. GR-2009-0355, as well as those raised by the Office of the Public Counsel in its various pleadings in the Empire rate request, Case No. GR-2009-0434, Staff recommends, in the alternative, as follows:

a. That the Commission adopt a bill insert type notice, as historically used, a specimen of which is attached, hereto, as Appendix A; or

b. That the Commission modify the proposed comment card, a specimen of which is attached, hereto, as Appendix B, to indicate and clarify the following:

1) Comments submitted via the comment card are not part of the official record of this case, unless offered by a party to the case and admitted by the Commission as evidence;

2) Comments submitted via the comment card are publicly viewable, and, should not include personal information such as phone number, email address, customer account number, bill payments, bill statements, social security number, bank account numbers, or any other information that the customer does not wish to be made public;

3) Comment cards should be mailed directly to the Office of the Public Counsel; alternatively, comments may be made by contacting the Office of the Public Counsel at the address, phone number or email address shown on the notice, or by filing directly into EFIS, via the "Public Comment Section;"

4) The Missouri Public Service Commission "Consumer Hotline" should only be referenced on the public notice regarding Complaints or Questions;

5) The purpose of the Local Public Hearing is the receipt of sworn testimony into the record of this case, although each Local Public Hearing will be preceded by a Question and Answer session. Questions and comments received at the Question and Answer session will not be part of the record of this case.

WHEREFORE the Staff of the Missouri Public Service Commission respectfully requests that the Commission adopt a public notice consistent with the recommendations provided herein.

Respectfully submitted,

/s/ Sarah Kliethermes
Sarah L. Kliethermes
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Missouri Public Service Commission
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 7th day of August 2009.

/s/ Sarah Kliethermes

NOTICE

The Empire District Gas Company has filed with the Missouri Public Service Commission (PSC) for a rate increase of approximately 4.9% percent. Empire is also requesting to recover all non-gas costs through a flat fixed delivery charge, and the elimination of any non-gas cost recovery from the volumetric charge. Empire is requesting a residential fixed delivery charge of \$30 per month. The actual cost of natural gas is charged through the separate PGA rate. An average residential customer using 58 ccf of gas per month would see an average increase of \$4.63, although customers using less than 58 ccf per month would see a greater increase, and customers using more than 58 ccf per month would see a smaller increase, or possibly a decrease.

If you would like to offer sworn testimony into the official record of this case, the Commission will take sworn testimony at Local Public Hearings, which have been set as follows:

DATE TIME LOCATION

An informal question-and-answer session will be held one-half hour before the beginning of each hearing.

You may make public written comments or secure additional information, by contacting the Office of the Public Counsel, P.O. Box 2230, Jefferson City, Missouri 65102, telephone (573) 751-4857 or toll-free (866) 922-2959, or accessing the Public Comment Section of the PSC website, found at <http://www.psc.mo.gov/case-filing-information> (Please reference Case No. GR-2009-0434). Comments submitted via the Public Comment log are not part of the official record of this case, unless offered into evidence and admitted by the PSC as evidence, but are viewable by the public. **Do not include any information in a public comment that you do not wish to be made public.**

If you have a question or complaint about your utility service, please contact the PSC's Consumer Services Hotline at 1-800-392-4211.

The local public hearings will be held in buildings that meet accessibility standards required by the Americans with Disabilities Act.

If you need additional accommodations to participate in these hearings, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

**THE EMPIRE DISTRICT GAS COMPANY
NOTICE OF RATE INCREASE REQUEST
AND NOTICE OF PUBLIC HEARINGS**

The Empire District Gas Company (EDG) filed a natural gas rate case with the Missouri Public Service Commission seeking to increase revenues (to cover non-gas costs) by approximately \$2.9 million a year. The impact of the rate change varies by customer class, but the overall result is an increase in total revenue of 4.9%. This case does not involve the gas cost portion of your monthly bill. Non-gas costs are general operating and maintenance costs typically representing 25% to 30% of a customer's total monthly natural gas bill. The Commission has suspended the proposed rates and any rate change authorized by the Commission will not likely take effect until 2010. EDG proposes rate changes for all of its classes including, Residential, Small Commercial Firm Service, Large Volume, and Transportation. Residential customers include customers purchasing natural gas for "domestic use" by single family or individually metered multiple-family dwellings. The proposed changes to the residential and small commercial are as follows:

Class	Current Non-Gas Rate(s)*	Proposed Non-Gas Rate(s)*	Overall Average Monthly Increase/ (Decrease)
Residential	\$7.00/ month plus 27¢ per Ccf used	\$30.00/month (no non-gas volumetric rate)	\$7.72 (Average usage- 58 Ccf per month)
Small Commercial Firm Small	\$13.50/ month Plus 25¢ per Ccf	\$64.00/month (No non-gas volumetric rate)	\$23.32
Small Commercial Firm Medium	\$40.00/ month Plus 23¢ per Ccf	\$110/month plus 11¢ per Ccf	(\$25.06)
Small Commercial Firm Large	\$40.00/ month plus 23¢ per Ccf	\$200/month plus 11¢ per Ccf	\$16.08

*Rates are rounded to the nearest whole cent.
For complete details of the EDG rate case filing, go to psc.mo.gov/case-filing-information and search for Case No. GR-2009-0434.

Cut along the dotted line, fold, tape, and mail.



Cut along the dotted line, fold, tape, and mail.

Place
Stamp
Here

Office of the Public Counsel
PO Box 2230
Jefferson City, MO 65102

Case No. GR-2009-0434

The PSC will hold local public hearings to receive sworn testimony from any customers seeking to make their comments part of the official record of this case. Public hearings will be held at the following locations and times:

If you have a question or complaint about your utility service, please contact the PSC's Consumer Services Hotline at 1-800-392-4211, by e-mail at pscinfo@psc.mo.gov, or by mail at P.O. Box 360, Jefferson City, Missouri 65102.

Cut along the dotted line, fold, tape, and mail.

Case No. GR-2009-0434

Comments submitted via the comment card are publicly viewable. DO NOT include personal information such as phone number, email address, customer account number, bill payments, bill statements, social security number, bank account numbers, or any other information that you do not wish to be made public.

Comments: