

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED

SEP 13 2012

Missouri Public
Service Commission

In the Matter of The Empire District Electric)
Company of Joplin, Missouri for Authority)
to File Tariffs Increasing Rates for Electric) Case No. ER-2012-0345
Service Provided to Customers in the)
Missouri Service Area of the Company)

MECG's First Data Requests to
Empire District Electric Company

Please note that the following data requests all relate to Empire's request for interim rate relief. As such, pursuant to the agreed upon procedural schedule, responses to these data requests are due in 5 days.

1. Since January 1, 2009, please provide a copy of all board meeting, or board committee meeting, minutes as well as any presentations, that concern Empire's dividend policy as well as any discussion to continue, discontinue or reduce the current level of dividends.

Response: Empire considers these documents to be Highly Confidential pursuant to 4 CSR 240-2.135 (5)(B), access to minutes, materials and handouts of Board of Directors and Board committee meetings will be provided for review at the corporate offices of The Empire District Electric Company at 602 S. Joplin Avenue, Joplin, MO 64801.

2. Between January 1, 2009 to May 1, 2011, had Empire made any estimate as to the date that it would exhaust its ability to make dividend payments out of its retained earnings balance. If yes, please provide any studies or analyses which consider the potential of exhaustion of retained earnings balance.

Response: Please refer to the Retained Earnings projections that are included in the Board of Directors materials in question No. 1.

3. At the time that Empire discontinued its dividend, the dividend was 32¢ / quarter (\$1.28 / year). How many consecutive quarters had Empire paid this 32¢ dividend?

Response: The dividend of \$0.32 was paid from December 15, 1992 through June 15, 2011 – 75 consecutive quarters.

4. Please identify the last quarter in which Empire paid dividends on preferred stock.

MECG Exhibit No. 1
Date 9-10-12 Reporter KF
File No. ER-2012-0345

Response: All outstanding shares of 5%, 4 3/4% and 8 1/8% Cumulative Preferred Stock were redeemed on 8/2/99 and dividends paid to that date. On March 1, 2001, the Company issued 2 million shares of 8.5%, \$25 per share liquidation value, Trust Preferred securities. Trust Preferred securities are hybrid securities that resemble debt, with fixed interest payments to holders of such securities rather than dividend payments. These securities were redeemed on June 30, 2010. The Trust Preferred securities did not impact dividends during the term they were outstanding and therefore have not been included in response to questions in this data request.

5. Please confirm that Empire's year end retained earnings balance for each of the following years is correct. If any amount is incorrect, please provide the correct retained earnings balance for that particular year.

1991: \$54,663,060
1992: \$54,682,098
1993: \$53,066,108
1994: \$53,783,342
1995: \$52,230,584
1996: \$51,340,554
1997: \$51,472,897
1998: \$55,706,779
1999: \$52,908,432
2000: \$54,117,292
2001: \$41,906,483
2002: \$39,544,819
2003: \$39,848,572
2004: \$29,078,000
2005: \$19,692,000
2006: \$22,916,000
2007: \$17,153,000
2008: \$13,579,000
2009: \$10,068,000
2010: \$5,468,000
2011: \$33,707,000

Response: The retained earnings balances listed above are correct.

6. Please confirm that Empire's Net Income for each of the following years is correct. If any amount is incorrect, please provide the correct Net Income for that particular year.

1992: \$16,905,423
1993: \$15,935,984

1994:	\$19,683,099	
1995:	\$19,797,826	
1996:	\$22,049,207	
1997:	\$23,792,979	
1998:	\$28,323,338	
1999:	\$22,170,139	
2000:	\$23,617,154	
2001:	\$10,402,914	
2002:	\$25,524,118	
2003:	\$29,450,307	
2004:	\$21,848,000	
2005:	\$23,768,000	
2006:	\$39,280,000	
2007:	\$33,190,000	\$33,244,000
2008:	\$39,722,000	
2009:	\$41,296,000	
2010:	\$47,396,000	
2011:	\$54,971,000	

Response: Net Income amounts listed above are correct with the exception of 2007. The corrected amount represents the amount that was recorded in our 2007 Annual Report on Form 10-K.

7. Please confirm that the total amount of dividends (dividend on common stock + dividends on preferred stock) for each of the following years is correct. If any amount is incorrect, please provide the correct total amount of dividends for that particular year.

1992:	\$16,492,295	\$16,886,385
1993:	\$17,166,884	\$17,551,974
1994:	\$17,572,108	\$18,965,865
1995:	\$18,934,244	\$21,350,584
1996:	\$20,522,897	\$22,939,237
1997:	\$21,244,296	\$23,660,636
1998:	\$21,676,976	\$24,089,456
1999:	\$22,063,772	\$23,663,982
2000:	\$22,408,294	
2001:	\$22,613,723	
2002:	\$27,885,782	
2003:	\$29,146,554	
2004:	\$32,618,000	
2005:	\$33,154,000	
2006:	\$30,056,000	\$36,056,000
2007:	\$38,953,000	

2008: \$43,296,000
2009: \$44,807,000
2010: \$51,996,000
2011: \$26,732,000

Response: The Dividends listed above are correct except that corrections have been made to include the dividends on preferred stock from 1992 through 1999 and a correction to 2006 dividends to reflect the amount recorded in our 2006 Annual Report on Form 10-K.

8. Please confirm that the number of common shares outstanding as reported on the cover page of Empire's 10K filing with the SEC for each of the following years is correct. If any amount is incorrect, please provide the correct number of common shares outstanding as reported on the cover page of Empire's 10K for that particular year.

1995: 13,954,629
1996: 15,226,556
1997: 16,448,309
1998: 16,729,184
1999: 17,081,019
2000: 17,336,923
2001: 17,608,466
2002: 19,778,408
2003: 22,595,071
2004: 25,307,287
2005: 25,740,813
2006: 26,136,318
2007: 30,296,442
2008: 33,652,155
2009: 34,030,579
2010: 38,300,730
2011: 41,666,218
2012: 42,023,966

Response: The outstanding shares listed above are correct as reported on the cover page of the Form 10-K.

9. Please provide, on a monthly basis since January 1, 2012, the total amount of legal and consulting fees associated with Empire's request for interim rate relief. Please treat this as a continuing data request for the remainder of this case.

Response: Please see attached statements for legal services from Brydon, Swearngen & England for legal services in connection with ER-2012-0345, which include but are not limited to services in

connection with the interim portion of ER-2012-0345. Empire has incurred no additional consulting fees due to the interim request.

10. Please identify every year, since 1995, in which Empire has had a stock issuance other than ESOP (employee stock purchase) and DRIP (dividend reinvestment program). For each stock issuance, please identify the date of the 8K filing with the SEC documenting the details of the stock issuance.

Response: Please see attached spreadsheet.

Respondents: Scott Keith, Dale Harrington, Laurie Delano