



July 24, 2009

**FILED<sup>2</sup>**

JUL 27 2009

Colleen M. Dale  
Missouri Public Service Commission  
PO Box 360  
Jefferson City, MO 65102

**Missouri Public  
Service Commission**

Re: File No. EC-2009-0449  
Response to Formal Complaint by Tammie Lynn Powell

Under Commission Rule 4 CSR 240-13.025, Billing Adjustments, Chapter 2, we are allowed to recover up to one year of usage from a residential customer whose meter failed to register, and allow payment over the same period that is billed. Attached is Empire District Electric tariff sheet that agrees with that rule.

Ms. Powell's meter failed to register usage for ten months. Using monthly estimates based on her usage the prior year, the amount of lost revenue was estimated at \$1,657.00. Ms. Powell was billed for six of the ten months at \$1,157.42.

Empire District has made an offer in good faith to Ms. Powell to bill only six months of the ten month period. Further, we have offered a twelve month payment plan well in excess of the period for which she was billed.

While we are still in favor of honoring the offer for the twelve month payment plan, we are not inclined to make any further adjustments to the amount billed for six of the ten months of unregistered usage.

Sincerely,

Terry L. Oliver  
Director of Customer Service  
Empire District Electric Company

Attachment: Tariff sheet

**Missouri Public Service Commission****Consumer Complaint-Inquiry**

**Complaint** **New**  
 Complaint/Inquiry No. **C200904689**  
 Mode of Receipt **Phone**  
 Service Type **Residential**  
 Other **N/A**  
 Utility Type **Electric**  
 Utility Company Name **Empire District Electric Company, The-Investor(Electric)**  
 Priority **Immediate Response Needed**  
 Complaint Issue **Rules/Regulations**  
 Complaint Sub Issue **Discontinuance of Service-bill**  
 Consumer's Account No. **158941971**  
 Additional Name **N/A**

**Account Name**

**First Name** **Tammie**  
**Middle Initial** **N/A**  
**Last Name** **Powell**  
**Street Address** **5314 Gerbitz Drive**  
**Mailing Address** **N/A**  
**City** **Joplin**  
**State** **Missouri**  
**Zip** **64801**  
**County** **Jasper**  
**Home Phone** **417-782-1869**  
**Work Phone** **N/A**  
**Cellular/Pager** **N/A**  
**Fax** **N/A**  
**E-Mail** **N/A**

**Reporting Party**

**First Name** **N/A**  
**Middle Initial** **N/A**  
**Last Name** **N/A**  
**Street Address** **N/A**  
**Mailing Address** **N/A**  
**City** **N/A**  
**State** **Missouri**  
**Zip** **N/A**  
**County** **N/A**  
**Contact Phone** **N/A**

**Preferred Contact Time** **From 8:00 AM To 5:00 PM** **Contact Place** **Work**

**Preferred Contact Method** **Phone**

**Complaint/Inquiry Description** **(ddw)Customer got rebilled \$1300 for unmetered electric/ customer says in December 2007 she reported a faulty meter, but was refused check by Empire and says they threatened her to stop calling about meter or they would charge her with harrassment/ customer began getting minimum bills of around \$11 per month after that/ customer says she should not be liable for rebill because she reported meter and Empire didn't listen/ wants entire amount removed from her bill/**

**Date Filed** **5/7/2009 11:53:24 AM**

**Daryl Esmond**

---

**From:** Ann Butts  
**Sent:** Tuesday, June 02, 2009 11:45 AM  
**To:** Daryl Esmond  
**Subject:** RE: Powell, Tammie ( C200904689)

Daryl: I just talked to Tracy at the PSC, and am faxing her the tests she requested. This is still an ongoing complaint. The other one you asked about, Brandi Reynolds, just got closed and I will send it to you today.  
Ann

---

**From:** Daryl Esmond  
**Sent:** Tuesday, June 02, 2009 11:32 AM  
**To:** Ann Butts  
**Subject:** FW: Powell, Tammie ( C200904689)  
**Importance:** High

---

**From:** Leonberger, Tracy [mailto:tracy.leonberger@psc.mo.gov]  
**Sent:** Tuesday, June 02, 2009 10:26 AM  
**To:** Daryl Esmond  
**Subject:** Powell, Tammie ( C200904689)

6/2/09

Please have Ms. Butts or Ms. Sadler (I have also talked with her regarding this complaint) provide me with copies of the Meter Test Report(s) conducted in March 2008 and I believe there was one done on February 4, 2009. I want to put these with the complaint file.

Ms. Powell requested formal paperwork be mailed to her home during a telephone conversation I had with her today. I will be forwarding a copy of the letter for your files once it is completed.

*Tracy Leonberger*

Consumer Services Specialist II  
Missouri Public Service Commission  
P.O. Box 360, 200 Madison Street  
Jefferson City, MO. 65102  
Consumer Hotline number (800) 392-4211  
Fax number (573) 526-1500  
E-mail: Tracy.Leonberger@psc.mo.gov

6/2/2009

**Daryl Esmond**

---

**From:** Leonberger, Tracy [tracy.leonberger@psc.mo.gov]  
**Sent:** Tuesday, June 02, 2009 12:10 PM  
**To:** Ann Butts; Marcia Sadler; Daryl Esmond  
**Subject:** Powell, Tammie (C200904689)  
**Attachments:** Powell Tammy follow-up letter w formal.doc

6/2/09 - Tracy called her again at 11:45 to encourage her to enter into the payment agreement. Advised she would have to pay her current bills to keep the complaint open. Since she paid the \$140.00, no other payment would be due at this time (the rebill amount will remain in dispute to allow her time to file a formal complaint if she wishes to do so). She indicated she wanted a Company apology for how she was treated and that the Company did not address her stopped meter situation in a timely manner. I asked if she would enter into the agreement if that was done and she became upset. Tracy informed her she would be mailing the formal paperwork and that we were a regulatory body and not on anybody's "side". Advised she would have to determine what her next step would be.

*Tracy Leonberger*

Consumer Services Specialist II  
Missouri Public Service Commission  
P.O. Box 360, 200 Madison Street  
Jefferson City, MO. 65102  
Consumer Hotline number (800) 392-4211  
Fax number (573) 526-1500  
E-mail: Tracy.Leonberger@psc.mo.gov

**Daryl Esmond**

---

**From:** Angela Cloven  
**Sent:** Tuesday, June 02, 2009 2:32 PM  
**To:** Terry Oliver; Daryl Esmond  
**Cc:** Ann Butts; Marcia Sadler; Heidi Nonnenmacher  
**Subject:** FW: Closure Notification for C200904689

FYI

---

**From:** Tracy.Leonberger@psc.mo.gov [mailto:Tracy.Leonberger@psc.mo.gov]  
**Sent:** Tuesday, June 02, 2009 2:17 PM  
**To:** Angela Cloven; Sherri Blalock  
**Cc:** Tracy.Leonberger@psc.mo.gov  
**Subject:** Closure Notification for C200904689

Your Complaint/Inquiry numbered C200904689 regarding complaint issue on Billing with the Missouri Public Service Commission is being resolved and closed based on the following resolution:

Complaint/Inquiry No.: C200904689  
Consumer Name: Powell Tammie  
Resolution Code: Formal Complaint Information Provided  
See Educational Materials on: Billing Adjustment rule  
Comments: 6/2/09 - Talked with Ms. Powell twice by phone to try to get her to accept the payment agreement. Advised Commission rule allows rebills/provided copy of Billing Adjustment Rule. Advised she was billed less then she could have been Customer adamant that she is not paying the rebill. Demanded to go to the next step, formal paperwork was mailed as requested recapping the Company information provided. Customer says she can't afford the rebill. Closed

-----

6/2/2009



Commissioners  
**ROBERT M. CLAYTON III**  
Chairman  
**CONNIE MURRAY**  
**JEFF DAVIS**  
**TERRY M. JARRETT**  
**KEVIN GUNN**

## *Missouri Public Service Commission*

POST OFFICE BOX 360  
JEFFERSON CITY MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.mo.gov>

**WESS A. HENDERSON**  
Executive Director  
**DANA K. JOYCE**  
Director, Administration and  
Regulatory Policy  
**ROBERT SCHALLENBERG**  
Director, Utility Services  
**NATELLE DIETRICH**  
Director, Utility Operations  
**VACANT**  
Secretary/Chief Regulatory Law Judge  
**KEVIN A. THOMPSON**  
General Counsel

June 2, 2009

Ms. Tammie Powell  
5314 Gerbitz Drive  
Joplin, MO 64801

Dear Ms. Powell:

This is in response to a complaint (C200904689) filed against Empire District Electric (Company). You stated the Company recently adjusted your account due to a dead meter situation. You indicated you have been contacting the Company since December 2007, advising them that something was wrong with the meter. You believe something happened to the meter after the December 2007 ice storm. You asked for the Missouri Public Service Commission (Commission) to intercede on your behalf. This letter is a follow-up to our telephone conversation of this morning.

After our initial review of your complaint, we forwarded your complaint to the Company for investigation. We received the following response from the Company:

- Ms. Powell connected service at this address in August 2007. The Company has one outage report related to the December 2007 ice storm.
- Ms. Powell called about a high bill complaint in March 2008. The Company conducted a meter test at that time. There was no problem with her meter, and the verified meter reading that day was x1229, indicating normal usage for Ms. Powell.
- After the meter test, Ms. Powell called and said the Company was cheating customers since the ice storm because Company linemen did something to the equipment when they went up the poles to charge customers more. The Company representative issued an order on to test and re-read meter.
- The Company sent the letter about a dead meter on March 11, 2009, but Ms. Powell did not reply to the letter. Since Ms. Powell never contacted the Company after the letter was mailed so the adjusted charges were billed to the

account. The amount the Company billed was for only 6 months of estimated usage, \$1,157.42, rather than the 10 months the Company was allowed to bill.

- Prior to the mailing of the dead meter letter of March 11, 2009, a Company representative called Ms. Powell on Feb 13, 2009 to discuss the dead meter situation and the charges. Ms. Powell stated she was overbilling during ice storm and she had called and called the Company. Ms. Powell indicated the charges were unfair and that she tried to get the Company to change the meter out last year because the meter dial was spinning out of control. The Company representative asked if Ms. Powell had seen on her bill that she was only billed the minimum usage charge and that no usage was being billed. Ms. Powell said she thought the Company had been rebating her for excessive billing from the December 2007 ice storm.
- Ms. Powell called when she received the bill. The Company representative went over how the Company estimated the usage for the rebill, referring Ms. Powell to the spreadsheet she received. The Company representative also offered a 12 month payment plan, but Ms. Powell refused, as she said she does not want to pay any of the rebill.

Empire District Electric indicates a 12 month payment agreement is still available. If you wish to enter into this arrangement, you will need to contact Empire District Electric directly and setup payment agreement.

Our investigation of your informal complaint is completed and considered closed. The Company may adjust your billing in accordance with Commission Rule, 4 CSR 240-13.025 – Billing Adjustments. A copy of the Commission rule is enclosed. It does not appear they are in violation of the rule.

The accuracy of your bill is a shared responsibility between you and the company. In re-billing the customer for the energy consumed but not billed, the company is collecting from the party that benefited from the product – not all ratepayers. The company has a certain amount of line loss – which is an expense. This expense is passed along to all ratepayers unless it is collected from the “cost causer”. The Commission Staff feels that it is preferable to collect from the “cost causer” rather than allowing the company to “write it off” and having it become an expense to everyone. It appears you benefitted from the electric service while the meter was stalled and not recording your actual usage.

As requested via phone today, this letter serves as notification of your right to file a formal complaint with the Commission.

Since your complaint involves disputed charges, the nonpayment of which could subject your service to discontinuance, this letter also serves as notification of the Commission rules, which state that if a formal complaint is not filed within thirty (30) days of the date of this letter, your service may become subject to discontinuance by Company.

Additionally, failure to pay the amount of a bill, which is not in dispute, is grounds for an informal or formal complaint to be dismissed and your service may also be subject to discontinuance. If you and the company cannot agree on the amount not in dispute, the company may require you to pay an amount not to exceed fifty percent (50%) of the charge in dispute or an amount based on usage during a like period under similar conditions. Unless you have already paid the amount not in dispute, as determined above, you should contact the company immediately to comply with these provisions to avoid the dismissal of your complaint and the potential discontinuance of your service.

A formal complaint must be filed in written form and addressed to **Secretary of the Missouri Public Service Commission, ATTN: Data Center, P.O. Box 360, Jefferson City MO 65102-0360**. After filing, the Commission will give the company thirty (30) days to either satisfactorily resolve the complaint or respond in writing with the company position. If the complaint is not settled and the company responds denying the allegations, the Commission may order the Staff to conduct an investigation and may schedule a hearing.

The Commission is a regulatory body to make sure that the company is not in violation of the State Code of Regulations or the Company's approved tariffs.

The hearing is very similar to a trial in a court of law. At the time of the hearing, state law requires that you present evidence, which will substantiate your claim against the company. The company also will be given the opportunity to present evidence discounting your claims. All parties, including the Commission's Staff, will have the opportunity to cross-examine the other party's witnesses. Further, any person as defined in 4 CSR 240-2.010(11), other than an individual must be represented by an attorney.

Please note further filing requirements in the enclosed Chapter 2 - Rules of Practice and Procedure.

Sincerely,

*Tracy*

Consumer Services Department

/tfl

Enclosures: Commission Rule, 4 CSR 240-13.025 Billing Adjustments, Chapter 2 – Rules of Practice and Procedure, Formal Complaint Form and Representing Yourself Before the Missouri Public Service Commission



Ca 166 Commission Complaint

STATE COMMISSION: ARKANSAS KANSAS MISSOURI OKLAHOMA

COMMISSION CONTACT: Tracy Leonberger

TELEPHONE: \_\_\_\_\_ DATE RECEIVED 5-12-09

CUSTOMER NAME: Tammie Powell

ADDRESS: 5314 Gerbitz Dr. Joplin

ACCOUNT NO: \_\_\_\_\_ TELEPHONE \_\_\_\_\_

NATURE OF COMPLAINT:

billing - desc of service

COMPANY RESPONSE

REFERRED TO: Ann Butth DATE 5-12-09

FINDINGS: \_\_\_\_\_

see att'd

RESOLUTION: \_\_\_\_\_

**Missouri Public Service Commission**  
**Consumer Complaint-Inquiry**

**Complaint**                      **New**  
**Complaint/Inquiry No.**      **C200904689**  
**Mode of Receipt**              **Phone**  
**Service Type**                  **Residential**  
**Other**                              **N/A**  
**Utility Type**                   **Electric**  
**Utility Company Name**       **Empire District Electric Company, The-Investor(Electric)**  
**Priority**                          **Immediate Response Needed**  
**Complaint Issue**              **Rules/Regulations**  
**Complaint Sub Issue**        **Discontinuance of Service-bill**  
**Consumer's Account No.**    **158941971**  
**Additional Name**               **N/A**

<u>Account Name</u>		<u>Reporting Party</u>	
First Name	<b>Tammie</b>	First Name	<b>N/A</b>
Middle Initial	<b>N/A</b>	Middle Initial	<b>N/A</b>
Last Name	<b>Powell</b>	Last Name	<b>N/A</b>
Street Address	<b>5314 Gerbitz Drive</b>	Street Address	<b>N/A</b>
Mailing Address	<b>N/A</b>	Mailing Address	<b>N/A</b>
City	<b>Joplin</b>	City	<b>N/A</b>
State	<b>Missouri</b>	State	<b>Missouri</b>
Zip	<b>64801</b>	Zip	<b>N/A</b>
County	<b>Jasper</b>	County	<b>N/A</b>
Home Phone	<b>417-782-1869</b>	Contact Phone	<b>N/A</b>
Work Phone	<b>N/A</b>		
Cellular/Pager	<b>N/A</b>		
Fax	<b>N/A</b>		
E-Mail	<b>N/A</b>		

**Preferred Contact Time**    **From 8:00 AM To 5:00 PM**    **Contact Place**    **Work**

**Preferred Contact Method**              **Phone**

**Complaint/Inquiry Description**      **(ddw)Customer got rebilled \$1300 for unmetered electric/ customer says in December 2007 she reported a faulty meter, but was refused check by Empire and says they threatened her to stop calling about meter or they would charge her with harrassment/ customer began getting minimum bills of around \$11 per month after that/ customer says she should not be liable for rebill because she reported meter and Empire didn't listen/ wants entire amount removed from her bill/**

**Date Filed**                      **5/7/2009 11:53:24 AM**

*3-17 tent not 1229*

**Ann Butts**

---

**From:** Marcia Sadler  
**Sent:** Monday, May 11, 2009 12:57 PM  
**To:** Ann Butts  
**Subject:** FW: Please provide following information on C200904689 , Account Name: Tammie Powell  
**Importance:** High  
**Attachments:** COMPLAINT-INQUIRY - New.html

Ann,

I have this complaint to resolve. Do you have the backup information on the rebill for the dead meter?

Thanks  
Marcia

-----Original Message-----

**From:** Daryl Esmond  
**Sent:** Thursday, May 07, 2009 1:51 PM  
**To:** Marcia Sadler  
**Subject:** FW: Please provide following information on C200904689 , Account Name: Tammie Powell  
**Importance:** High

573-526-5388  
FAX - 573-526-1500 -

---

**From:** Tracy.Leonberger@psc.mo.gov [mailto:Tracy.Leonberger@psc.mo.gov]  
**Sent:** Thursday, May 07, 2009 1:44 PM  
**To:** Daryl Esmond  
**Cc:** Tracy.Leonberger@psc.mo.gov  
**Subject:** Please provide following information on C200904689 , Account Name: Tammie Powell

Message to Utility : Information needed on disconnections/delinquent accounts – Dates disconnection notices rendered; dollar amounts listed on the notices; dollar amount needed for reconnection; defaulted arrangements – CWR plan (if applicable); breakdown of account balance. Disconnection pending.

Please respond by 05/12/2009

4-14  
charged on ~~3-11~~ -09 1,157.42  
She does not have a SN yet  
She will after 5-27-09 for  
1293-93 - that is the brok bill +  
current bill of 136.51

5/12/2009

Tammie Powell  
 53141 Gerbitz Road, Joplin, MO  
 Account Number: 158941-21-877

ACTUAL READS AND CHARGES BILLED							
Read_Date	Meter Number	Read_Code	Reads	kWh	Days	kWh per day	Actual Charges Billed
1/30/2009	29700658	N - Normal Read	71878	6	30	0.2	11.61
12/31/2008	29700658	N - Normal Read	71872	5	36	0.1	11.51
11/25/2008	29700658	N - Normal Read	71867	2	27	0.1	11.23
10/29/2008	29700658	N - Normal Read	71865	1	28	0.0	11.13
10/1/2008	29700658	N - Normal Read	71864	0	29	0.0	11.04
9/2/2008	29700658	N - Normal Read	71864	0	33	0.0	10.58
7/31/2008	29700658	N - Normal Read	71864	0	34	0.0	10.35
6/27/2008	29700658	N - Normal Read	71864	1	25	0.0	10.44
6/2/2008	29700658	N - Normal Read	71863	0	34	0.0	10.35
4/29/2008	29700658	N - Normal Read	71863	2	29	0.1	10.53
3/31/2008	29700658	N - Normal Read	71861	1232	31	40	101.80
2/29/2008	29700658	N - Normal Read	70629	4515	31	146	300.10
1/29/2008	29700658	N - Normal Read	66114	4180	29	144	279.86
12/31/2007	29700658	N - Normal Read	61934	3987	33	121	268.20
11/28/2007	29700658	N - Normal Read	57947	2323	30	77	167.70
10/29/2007	29700658	N - Normal Read	55624	1647	31	53	126.87
9/28/2007	29700658	N - Normal Read	53977	1205	30	40	117.35
8/29/2007	29700658	N - Normal Read	52772	1750	29	60	165.41
7/31/2007	29700658	N - Normal Read	51023	275	32	9	
7/31/2007	29700658	Manual Read	51022	274	32	9	

ESTIMATED CHARGES TO BE BILLED				
Estimated kWh per day	Estimated kwh per mo	Estimated Corrected Charges	Minus Actual Charges Billed	Estimated Charges to be Billed
144	4320	307.43	11.61	295.82
121	4356	309.75	11.51	298.24
77	2079	163.11	11.23	151.88
53	1484	124.79	11.13	113.66
40	1160	120.89	11.04	109.85
60	1980	198.55	10.58	187.97
TOTAL				1157.42

Used kWh per day for the same period the year before to estimate

1657.42

Dec 4-08 TO JAN 09

BILLED AUG 08 - JAN 09  
 COULD HAVE BILLED

JULY - 190  
 JUNE - 110.00  
 MAY - 100  
 APR - 100  
 500.00

March 11, 2009

Tammie Powell  
53141 Gerbitz Road  
Joplin, MO 64801

Re Account Number: 158941-21-877

Dear Ms. Powell:

During a routine test of your electric meter on February 4, 2009, it was discovered that the meter was no longer registering your usage. The last time the meter registered usage was in March 2008. The meter has been exchanged and your future bills will reflect actual usage.

We are authorized by the Rules and Regulations of the Missouri Public Service Commission to estimate your usage for the months the meter did not register, and are allowed to recover the charges up to 12 months. Enclosed is a spreadsheet with your actual account history, and the process for estimating what you will owe.

While we are allowed to bill for the entire period, in this case 10 months, it is our practice to only bill 6 months. The estimated charges are based on your actual usage for the same periods the year before.

The total billed is \$1157.42. Under the same rules and regulations that allow us to bill this amount, we are required to work out a payment agreement. The amount billed can be spread out in 6 to 12 monthly installments. The payment agreement amount will be added to your current charges each month until paid, with no interest or late fees as long as the monthly installments are paid.

I apologize for the inconvenience this may cause, but also hope you realize we have chosen a fair and reasonable resolution. I want to work with you on a suitable payment plan. Please contact me at the number listed below.

Sincerely,

Ann Butts  
Credit & Collection/Customer Service Manager  
417-625-6171

Enclosure: Account spreadsheet

During routine meter test, dead meter discovered. The last time meter registered correct usage was March 2008. Sent letter to Tammie Powell with spreadsheet enclosed to indicate how we arrived at estimated charges. Letter explains that we are allowed to bill up to 12 months, but we are only billing 6 mo of estimated usage, which is based on her actual usage for the same period last year. Offered payment agreement up to 12 months on the total billed of \$1157.42. Asked her to contact me if needs to make payment agreement. AButts

**Ann Butts**

---

**From:** Ann Butts  
**Sent:** Tuesday, May 12, 2009 11:25 AM  
**To:** 'Leonberger, Tracy'  
**Subject:** Tammie Powell C200904689  
**Attachments:** Tammie Powell dead meter.doc; reads tammie powell.xls

Tracy: I am attaching two files, one is the copy of the letter we sent her, and the other is the spreadsheet to show how we calculated the usage. I hope you can open attachments. If not, let me know and I can copy them to the body of the email.

She connected at this address in Aug, 2007. We have one outage report related to the Dec 2007 ice storm. No other logs about what she is describing.

She called about a high bill complaint in March 2008. We sent a meter test at that time. There was no problem with her meter, and the read that day was 1229, indicating normal usage for her. Here are two logs we made after the meter test.

Tammie called and said we were cheating the customer since the ice storm because our linemen did something when they went up the poles to charge them more. Put an order on to test and re-read meter, told her I will call her back when I get it back, Said she is going to call the commission told her that is a customers choice and if she feels that she needs to that will be fine. Wanted to talk to my supervisor, said that I work for the electric company and that I will take up for them, told her I have to pay my bill also and if I thought I was over charged I would say something also, she doesnt believe that I would, told her that is her option and I will give her my supervisor gave to Cali

Tammie wanted to speak to someone else after speaking with Doreen, she was patched to me... Tammie was very unhappy about bill. I went back to 2005 meter reads to assure her that the reads are comparable to her's. she said that Empire is being unfair to the "millions" of people in Joplin and that they are my "bread & butter" so I can't understand what she is talking about. She said she is going to have an audit against Empire and call the commission I told her that was fine... I ended call she would not quit yelling.

The meter stopped working in April, 2008. That was discovered on Dec 8, 2008.

We sent the letter about the dead meter on March 11, 2009 but never heard from her. I usually do not charge anything until after they respond to the letter so we can set up a payment agreement. Since she never contacted us, we charged it on April 14, and just statemented it on May 6. The amount we billed was for only 6 months of estimated usage, 1157.42, rather than the 1 year (10 months in this case) we are allowed to bill. (see spreadsheet)

Prior to sending the letter, we called her on Feb 13 to discuss the dead meter and estimated usage. This is the rep's log from that conversation.

Called Tammie yesterday to explain that she has had a dead meter for 10 months and we changed out. She started going on about us overbilling her during ice storm last jan/feb and how she had called and called. looked back to see logs regarding this.. she ranted on and on about how bad we are and unfair and that she tried to get us to change that mter out last year cause it was spinning out of control. I tried to mention what usage has been there over the last few years but she wouldn't hear it... said needed to call the supreme court on us! asked if she had seen that her bill was only \$11.00 a month and that no usage was being billed. said she thought we had been rebating her for excessive billing from the ice storm. told her no, that her bill should have shown her that we billed her for nothing but the minimum charge. I couldn't calm her down or make sense of the conversation. told her i w/speak with my manager and someone w/call her back... Gave to Ann today. said she w/try to call monday and talk to her.

I was never able to reach her by phone.

5/12/2009

She did call when she received the bill. The rep went over how we estimated the usage, referring her to the spreadsheet she received. The rep also offered a 12 month payment plan. Here is that log on May 7, 2009.

Offered Tammie 12 month AG, she refused. She said she does not want to pay any of it. She said she tried to tell us about it along time ago. Tried to transfer her to Ann's VM, told her Ann will be out of the office until Monday. She said she will call her lawyer, the commission, governor, etc.

She does not have a current shut off notice. Her next due date is May 27. If no payment agreement is made, she will owe her current bill plus the manual charge for a total of 1293.93. The 12 month payment agreement is still available.

Ann

Ann Butts  
Empire District Electric Company  
Credit & Collection/Customer Service Manager  
417-625-6171  
abutts@empiredistrict.com



March 11, 2009

Tammie Powell  
53141 Gerbitz Road  
Joplin, MO 64801

Re Account Number: 158941-21-877

Dear Ms. Powell:

During a routine test of your electric meter on February 4, 2009, it was discovered that the meter was no longer registering your usage. The last time the meter registered usage was in March 2008. The meter has been exchanged and your future bills will reflect actual usage.

We are authorized by the Rules and Regulations of the Missouri Public Service Commission to estimate your usage for the months the meter did not register, and are allowed to recover the charges up to 12 months. Enclosed is a spreadsheet with your actual account history, and the process for estimating what you will owe.

While we are allowed to bill for the entire period, in this case 10 months, it is our practice to only bill 6 months. The estimated charges are based on your actual usage for the same periods the year before.

The total billed is \$1157.42. Under the same rules and regulations that allow us to bill this amount, we are required to work out a payment agreement. The amount billed can be spread out in 6 to 12 monthly installments. The payment agreement amount will be added to your current charges each month until paid, with no interest or late fees as long as the monthly installments are paid.

I apologize for the inconvenience this may cause, but also hope you realize we have chosen a fair and reasonable resolution. I want to work with you on a suitable payment plan. Please contact me at the number listed below.

Sincerely,

Ann Butts  
Credit & Collection/Customer Service Manager  
417-625-6171

Enclosure: Account spreadsheet

**EMPIRE DISTRICT ELECTRIC COMPANY**  
**602 Joplin Street \* PO Box 127**  
**Joplin, MO 64802**  
**417-625-5100**

**FAX TRANSMITTAL COVER SHEET**

Fax No: 417-625-5135

DATE: 6-2-2009

TO: 513-526-1500 Tracy Leonberger, Missouri PSC

FROM: Ann Butts

NUMBER OF PAGES 3

COMMENTS:

Tracy, here are the two meter tests on Tammie Powell. Ann

AB

2/3/09 8:20 AM

**ELECTRIC SERVICE ORDER**Audit: **cevans**Print Date/Time: **2/4/09 7:45 AM**Service Order Number: **64132273**Requested Date: **2/4/09**

Inspection Date:

Order Type: **Service Trip**Activity: **Test Meter**Instructions: **Check for dead meter***Looks like  
was going dead  
in April 2008**Sent to  
JCARR  
2-11-09*Customer Name: **Powell, Tammie L**Customer Phone: **417-782-1869**Service Address: **5314 E Gerbitz Road Joplin, MO**Contact Name: **ce**

Contact Phone:

Directions: **1 mile E from 7th & Duquesne to Travis, N about 3/4 mi to Gerbitz Rd, E 3/4 mi, yellow milk can mailbox**

Safety Hazards:

Service Point Location Text: **2 E RL ON 7;N;E ON GRAVEL**T&D Area: **Webb City****MISCELLANEOUS DATA**SP Easting Num: **372675**Transformer Number: **FC3741524**Statement Cycle: **2**SP Northing Num: **4106082**Premise-Service Point: **6507697-355**Charge Cycle: **2**Transformer Easting Num: **372687**Transformer Northing Num: **4106094****EXISTING DATA**Existing EDE Meter Number: **29700658**Service Point Location: **36 - Pole**Previous Read Date: **1/30/09**Service Voltage Description: **1 Phase, 120/240 Volt**Previous Usage Read: **71878**Previous Usage Demand Read: **0**Meter Usage Read: **71878**Service Length: **1**# of Runs: **1**Meter Demand Read: **No Demand**Service Type Desc: **Unknown****INSTALL DATA**New EDE Meter Number: **A0820333**New Meter Completed Date: **2/10/09**New Service Point Location: **Same**New Service Length: **Same** # of Runs: **1**Voltage Desc: **120/240**Multiplier: **1**Conductor Size: **Same**New Meter CT Ratio: **None** 200/5 400/5 600/5 800/5 **/5** PT Ratio: **None** 4/1 20/1 60/1Service Type Desc: **Perm Overhead** / Perm Underground / Temp Overhead / Temp Underground**TEST DATA**

As Found FL: \_\_\_\_\_ % As Found LL: \_\_\_\_\_ % AF Ave Test: \_\_\_\_\_ %

As Left FL: \_\_\_\_\_ % As Left LL: \_\_\_\_\_ % AL Ave Test: \_\_\_\_\_ %

Comments:

Completed By Name: **Jma**Completed Date: **2/10/09**

THE EMPIRE DISTRICT ELECTRIC COMPANY										1 PH. METER TEST REPORT		
NAME AND ADDRESS Powell, Tammie & W. 12/10/08 5314 E Liberty Rd. Joseph, Mo.						TELEPHONE		DATE 3/10/08		METER NUMBER 29700658		
METER SIZE 30						VOLTS 240		POWER 25		MANUFACTURER GE		
STD. NO. 66		SET SEAL Yellow		TEST SEAL 222		TYPE 1-705		REG. RATIO 13 3/4		POI 7.2		
AS FOUND READING 71858		CT. RATIO —		PT. RATIO —		AS LEFT READING 71858		DIAL K 1		CYCLE 66		
AS FOUND CREEP YES NO		AS LEFT CREEP YES NO		AS FOUND		AS LEFT		CUSTOMER LOAD REV. IN SEC. = Kw				
STD. K 7.2 & 7.2		SERIES		ADJUSTED		HL		LL		COMP		
LOAD 30 A		REV METER		COR.		ACT.		PCT.		ACT.		
UNITY 10		1000		99.7		100.3						
3 A		1		1000		100.4		99.6				
UNITY A												
.5 PF						100.16						
LOWER BEARING YES NO						TOP BEARING YES NO						
METER READER COMMENT CODE												

Last Test Date:

Installation Date:

