

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

|                              |   |                       |
|------------------------------|---|-----------------------|
| WILLIAM L. GEHRS, Jr.,       | ) |                       |
|                              | ) |                       |
| Complainant,                 | ) |                       |
|                              | ) | Case No. EC-2018-0033 |
| vs.                          | ) |                       |
|                              | ) |                       |
| THE EMPIRE DISTRICT ELECTRIC | ) |                       |
| COMPANY,                     | ) |                       |
| Respondent.                  | ) |                       |

**REPLY TO THE EMPIRE DISTRICT ELECTRIC COMPANY'S  
RESPONSE TO DISCOVERY MOTION**

**COMES NOW** Complainant, William L. Gehrs, Jr., by and through counsel, and for his Reply to the Empire District Electric's Response to Discovery Motion, states as follow:

1. Mr. Gehrs has alleged in his complaint that Empire District Electric ("Empire") "failed to uniformly assess multiple customer charge fees to multiunit apartment buildings in the Joplin Missouri area[.]"

2. Empire, in its Response to Discovery Motion, *admits* this allegation – that since the filing of Mr. Gehrs' complaint, it has "changed how it bills" at least one customer and is considering a change to another customer. Response, Paragraph 2, see also Empire Response to Commission Order filed October 10,m 2017, paragraph 3.

3. Mr. Gehrs seeks to show in this complaint that Empire is rendering bills to customers in violation of its own tariff. A utility is required to render a bill to residential customers in accordance with its approved tariff. See 4 CSR 240-13.020(1).

4. Empire's only objection is that the information is not relevant. Response, Paragraph 3.

5. The information sought by Mr. Gehrs<sup>1</sup> is directly relevant to the issue in this case – whether Empire has failed to charge customers as required under its tariff.

6. Complainant does not object to Company's suggestion that any customer-specific information should be treated as confidential.

7. Empire's concern that "it would be inappropriate" to provide such information to a *pro se* Complainant has been ameliorated with the entry of the undersigned counsel.

**WHEREFORE**, Complainant submits this Reply to Empire's Response to Discovery Motion and requests this Commission order Empire to fully respond to Complainant's requests within ten (10) days and for such other and further relief as the Commission deems just and proper.

Respectfully submitted,

BLITZ, BARDGETT & DEUTSCH, L.C.

By: /s/ Stephanie S. Bell  
Marc H. Ellinger, #40828  
Stephanie S. Bell, #61855  
308 East High Street, Suite 301  
Jefferson City, MO 65101  
Telephone: 573-634-2500  
Facsimile: 573-634-3358  
Email: [mellinger@bbdlc.com](mailto:mellinger@bbdlc.com)  
E-mail: [sbell@bbdlc.com](mailto:sbell@bbdlc.com)

Attorneys for Complainant

---

<sup>1</sup> The information sought is: (1) the property addresses for other Empire customers with multiunit properties without separate meters; (2) the property address of any Empire customers refusing access to their property to determine the number of units; and (3) any communications with customers with multi-unit properties and a single meter.

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing pleading has been served by electronic means on all parties of record as reflected in the records maintained by the Secretary of the Commission through the EFIS system.

\_\_\_\_\_  
/s/ Stephanie S. Bell  
Stephanie S. Bell