

In the Matter of:  
**DEBBIE FEKEN**  
v.  
**EMPIRE DISTRICT ELECTRIC COMPANY**

---

**EC-2020-0183 , VOL. I**

*February 28, 2020*

---



[www.tigercr.com](http://www.tigercr.com) 573.999.2662

---

Volume 1

Respondent .

)  
)  
)  
)  
) File No. EC-2020-0183  
)  
)  
)  
)  
)

\_\_\_\_\_

REPORTED BY:  
Shelley L. Mayer, CCR  
TIGER COURT REPORTING, LLC

1 APPEARANCES:

2 MS. CASI ASLIN

MR. BEN RANKIN

3 Department of Economic Development

Public Service Commission

4 200 Madison Street

P.O. Box 360

5 Jefferson City, Missouri 65102-0360

573.751.4140

6 For: Staff of the Missouri Public Service  
Commission

7 MS. DIANA CARTER

8 428 East Capitol Avenue, #303

Jefferson City, Missouri 65101

9 573.289.1961

For: Empire District Electric Company

11 MS. DEBRA FEKEN

For: Complainant appearing Pro Se

PROCEEDINGS

JUDGE GRAHAM: So we're going to go on the record now. I want to turn my own phone off so that I don't get any calls. It's off. We're on the record. It's February 28, 2020. I've got about six or seven minutes after ten o'clock now. And the Commission has set this time for a procedural conference in a case that is captioned as Debbie -- is it Feken? Am I saying that right?

MS. FEKEN: It's Feken.

JUDGE GRAHAM: Feken, Debbie Feken, Complainant versus The Empire District Electric Company, Respondent. This case has a case number and that case number is EC-2020-0183. As I've said before and I'll say on the record now, my name is Paul Graham and I'm the regulatory law judge in this matter. We'll begin by the attorneys and others making their entries of appearance. So, Ms. Feken, would you just state your full name for the record please.

MS. FEKEN: Okay. It's Debra Feken.

JUDGE GRAHAM: Okay. Could you spell both those names please.

MS. FEKEN: Yes. D-e-b-r-a F-e-k-e-n.

JUDGE GRAHAM: All right. And would

1 counsel for the Commission Staff enter appearance  
2 please.

3 MS. ASLIN: Casi Aslin for Commission  
4 Staff and Ben Rankin from our customer experience  
5 department is also here.

6 JUDGE GRAHAM: All right. And then would  
7 counsel for Empire please enter their appearance.

8 MS. CARTER: Diana Carter for the Empire  
9 District Electric Company.

10 JUDGE GRAHAM: And I don't think I've  
11 missed anyone. I don't have any indication that the  
12 Office of Public Counsel's going to be involved here.  
13 Are there any preliminary matters that need to be  
14 taken up at this time before I just turn this over to  
15 Ms. Feken and counsel to talk about and agree upon,  
16 or try to agree upon some procedural schedule order?  
17 Are there any preliminary matters? Okay. Any issues  
18 specific to this case or this complainant. Anything  
19 you need to bring up at this point, Ms. Feken? And  
20 you don't have to search your mind or anything or  
21 worry about if you have nothing to say at this point.

22 MS. FEKEN: No.

23 JUDGE GRAHAM: All right. So I'm going  
24 to turn this over to you folks and I'm going to  
25 leave. At this point the only thing I'd like to

1 know, will Staff go ahead and be responsible for  
2 putting together the procedural and proposed  
3 procedural schedule.

4 MS. ASLIN: Yes, Judge.

5 JUDGE GRAHAM: Okay. And when can I look  
6 to receive that?

7 MS. ASLIN: What do you think, two weeks?

8 MS. CARTER: Yeah, that's fine.

9 JUDGE GRAHAM: Fourteen days from today?

10 MS. ASLIN: Yes, March 14th.

11 JUDGE GRAHAM: Okay. March the 13th.  
12 I'll be looking for that. Okay. If there's nothing  
13 else, I'm going to turn this over to you and I'll  
14 take off.

15 MS. CARTER: Judge, do you have a  
16 preference on if we have written testimony or if  
17 everything live or?

18 JUDGE GRAHAM: Prefiled or anything like  
19 that?

20 MS. CARTER: Yeah.

21 JUDGE GRAHAM: Well, I do prefer to see  
22 prefiled testimony. However, in a pro se consumer  
23 complaint case, I don't see it, you know, more  
24 than 50 percent of the time. I have reviewed this  
25 file actually pretty thoroughly. I do have a pretty

1 specific sense of what the issues are in this  
2 particular case. And I do think it would be helpful  
3 for me, for the Commission, for everybody concerned  
4 if there was prefiled testimony. However, I am not  
5 going to lay any responsibility in that regard upon  
6 Ms. Feken since she is unrepresented in this matter.

7           There are some legal issues in this case  
8 that are interesting and I will hope that Staff,  
9 consistent with the rules and what you can and can't  
10 do, will provide some guidance to the Commission in  
11 that regard. So I've given you a long-winded answer  
12 to the question and it comes down to yes for you and  
13 no for Ms. Feken.

14           MS. CARTER: Sounds good.

15           JUDGE GRAHAM: And, Ms. Feken, don't in  
16 any wise think that I am foreclosing or tying your  
17 hands. If you want to submit some prefiled written  
18 testimony in this case, you are free to do so.

19 I'm --

20           MS. FEKEN: Okay.

21           JUDGE GRAHAM: -- simply saying that you  
22 do -- I'm not going to lay that duty upon you.

23           And I'm really only telling the Company  
24 that I hope to see it.

25           MS. FEKEN: Okay.

1 JUDGE GRAHAM: All right. Anything else?

2 All right.

3 MS. FEKEN: I don't have anything.

4 JUDGE GRAHAM: Okay. Well, don't go away  
5 now. I'm going to leave, but you aren't. It was too  
6 much trouble to get you on the phone. All right.

7 (Off the record.)

8 JUDGE GRAHAM: 350.

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

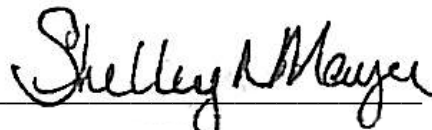
24

25



CERTIFICATE

I, Shelley L. Mayer, a Certified Court Reporter,  
CCR No. 679, the officer before whom the foregoing  
transcript of proceedings was taken, do hereby  
certify that the testimony was taken by me to the  
best of my ability and thereafter reduced to  
typewriting under my direction; that I am neither  
counsel for, related to, nor employed by any of the  
parties to the action in which this transcript of  
proceedings was taken, and further, that I am not a  
relative or employee of any attorney or counsel  
employed by the parties thereto, nor financially or  
otherwise interested in the outcome of the action.

  
Shelley L. Mayer, CCR

<b>1</b>	<b>C</b>	<b>Diana</b> 4:8	<b>guidance</b> 6:10
<b>13th</b> 5:11	<b>calls</b> 3:4	<b>direction</b> 8:7	<b>H</b>
<b>14th</b> 5:10	<b>captioned</b> 3:8	<b>District</b> 3:12 4:9	<b>hands</b> 6:17
<b>2</b>	<b>Carter</b> 4:8 5:8,15,20 6:14	<b>duty</b> 6:22	<b>helpful</b> 6:2
<b>2020</b> 3:5	<b>case</b> 3:8,13,14 4:18 5:23 6:2,7,18	<b>E</b>	<b>hope</b> 6:8,24
<b>28</b> 3:5	<b>Casi</b> 4:3	<b>EC-2020-0183</b> 3:14	<b>I</b>
<b>3</b>	<b>CCR</b> 8:3,17	<b>Electric</b> 3:12 4:9	<b>indication</b> 4:11
<b>350</b> 7:8	<b>CERTIFICATE</b> 8:1	<b>Empire</b> 3:12 4:7,8	<b>interested</b> 8:13
<b>5</b>	<b>Certified</b> 8:2	<b>employed</b> 8:8,12	<b>interesting</b> 6:8
<b>50</b> 5:24	<b>certify</b> 8:5	<b>employee</b> 8:11	<b>involved</b> 4:12
<b>6</b>	<b>Commission</b> 3:7 4:1, 3 6:3,10	<b>enter</b> 4:1,7	<b>issues</b> 4:17 6:1,7
<b>679</b> 8:3	<b>Company</b> 3:13 4:9 6:23	<b>entries</b> 3:18	<b>J</b>
<b>A</b>	<b>complainant</b> 3:12 4:18	<b>experience</b> 4:4	<b>judge</b> 3:2,11,16,22,25 4:6,10,23 5:4,5,9,11, 15,18,21 6:15,21 7:1, 4,8
<b>ability</b> 8:6	<b>complaint</b> 5:23	<b>F</b>	<b>L</b>
<b>action</b> 8:9,13	<b>concerned</b> 6:3	<b>F-E-K-E-N</b> 3:24	<b>law</b> 3:16
<b>agree</b> 4:15,16	<b>conference</b> 3:8	<b>February</b> 3:5	<b>lay</b> 6:5,22
<b>ahead</b> 5:1	<b>consistent</b> 6:9	<b>Feken</b> 3:9,10,11,18, 21,24 4:15,19,22 6:6, 13,15,20,25 7:3	<b>leave</b> 4:25 7:5
<b>appearance</b> 3:18 4:1, 7	<b>consumer</b> 5:22	<b>file</b> 5:25	<b>legal</b> 6:7
<b>Aslin</b> 4:3 5:4,7,10	<b>counsel</b> 4:1,7,15 8:8, 11	<b>financially</b> 8:12	<b>live</b> 5:17
<b>attorney</b> 8:11	<b>Counsel's</b> 4:12	<b>fine</b> 5:8	<b>long-winded</b> 6:11
<b>attorneys</b> 3:17	<b>Court</b> 8:2	<b>folks</b> 4:24	<b>M</b>
<b>B</b>	<b>customer</b> 4:4	<b>foreclosing</b> 6:16	<b>making</b> 3:18
<b>begin</b> 3:17	<b>D</b>	<b>foregoing</b> 8:3	<b>March</b> 5:10,11
<b>Ben</b> 4:4	<b>D-E-B-R-A</b> 3:24	<b>Fourteen</b> 5:9	<b>matter</b> 3:17 6:6
<b>bring</b> 4:19	<b>days</b> 5:9	<b>free</b> 6:18	<b>matters</b> 4:13,17
	<b>Debbie</b> 3:8,11	<b>full</b> 3:19	<b>Mayer</b> 8:2,17
	<b>Debra</b> 3:21	<b>G</b>	<b>mind</b> 4:20
	<b>department</b> 4:5	<b>good</b> 6:14	
		<b>Graham</b> 3:2,11,16,22, 25 4:6,10,23 5:5,9,11, 18,21 6:15,21 7:1,4,8	

<b>minutes</b> 3:6		
<b>missed</b> 4:11		
<b>N</b>	<b>Q</b>	<b>T</b>
	<b>question</b> 6:12	<b>talk</b> 4:15
<b>names</b> 3:23	<b>R</b>	<b>telling</b> 6:23
<b>number</b> 3:13,14	<b>Rankin</b> 4:4	<b>ten</b> 3:6
<b>O</b>	<b>receive</b> 5:6	<b>testimony</b> 5:16,22 6:4,18 8:5
<b>Office</b> 4:12	<b>record</b> 3:3,5,15,19 7:7	<b>thereto</b> 8:12
<b>officer</b> 8:3	<b>reduced</b> 8:6	<b>thing</b> 4:25
<b>order</b> 4:16	<b>regard</b> 6:5,11	<b>time</b> 3:7 4:14 5:24
<b>outcome</b> 8:13	<b>regulatory</b> 3:16	<b>today</b> 5:9
<b>P</b>	<b>related</b> 8:8	<b>transcript</b> 8:4,9
	<b>relative</b> 8:11	<b>trouble</b> 7:6
<b>parties</b> 8:9,12	<b>Reporter</b> 8:2	<b>turn</b> 3:3 4:14,24 5:13
<b>Paul</b> 3:16	<b>Respondent</b> 3:13	<b>typing</b> 6:16
<b>percent</b> 5:24	<b>responsibility</b> 6:5	<b>typewriting</b> 8:7
<b>phone</b> 3:3 7:6	<b>responsible</b> 5:1	<b>U</b>
<b>point</b> 4:19,21,25	<b>reviewed</b> 5:24	<b>unrepresented</b> 6:6
<b>prefer</b> 5:21	<b>rules</b> 6:9	<b>V</b>
<b>preference</b> 5:16	<b>S</b>	<b>versus</b> 3:12
<b>prefiled</b> 5:18,22 6:4, 17	<b>schedule</b> 4:16 5:3	<b>W</b>
<b>preliminary</b> 4:13,17	<b>search</b> 4:20	
<b>pretty</b> 5:25	<b>sense</b> 6:1	<b>weeks</b> 5:7
<b>pro</b> 5:22	<b>set</b> 3:7	<b>wise</b> 6:16
<b>procedural</b> 3:7 4:16 5:2,3	<b>Shelley</b> 8:2,17	<b>worry</b> 4:21
<b>proceedings</b> 3:1 8:4, 10	<b>simply</b> 6:21	<b>written</b> 5:16 6:17
<b>proposed</b> 5:2	<b>Sounds</b> 6:14	
<b>provide</b> 6:10	<b>specific</b> 4:18 6:1	
<b>Public</b> 4:12	<b>spell</b> 3:22	
<b>putting</b> 5:2	<b>Staff</b> 4:1,4 5:1 6:8	
	<b>state</b> 3:19	
	<b>submit</b> 6:17	