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

In the Matter of an Investigation of	)	
The Empire District Electric Company's	)	Case No. EO-2008-0215
Storm Preparation and Restoration Efforts	)	

### FINAL REPORT OF STAFF INVESTIGATION

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff) and for its Final Report Of Staff Investigation, respectfully states to the Missouri Public Service Commission (Commission) as follows:

- 1. On January 2, 2008, the Commission issued its Order Directing Staff to Investigate The Empire District Electric Company's Storm Preparation and Restoration Efforts and Setting an Intervention Deadline. This Order directed Staff to "investigate the effectiveness of Empire's storm preparation and power restoration efforts and report its [initial] findings and recommendations to the Commission" not later than April 3, 2008.
- 2. Additionally, the order states the matter "is an investigation, not a contested case."
- 3. The January 2, 2008 Order set an intervention deadline of January 22, 2008. To date, no party has requested intervention.
- 4. On January 2, 2008, Commissioner Terry M. Jarrett issued a Concurring Opinion, stating he believed the matter should be instigated as a contested case, allowing "the "parties" to engage in the adversarial process before the Commission."
- 5. On January 8, 2008, Wess Henderson, Executive Director of the Commission, sent a letter to The Empire District Electric Company (Empire), requesting on behalf of Staff, certain information from the utility.
- 6. On January 14, 2008, Commissioner Robert M. Clayton III issued a Concurring Opinion, requesting Staff's investigation include fourteen (14) specific items not specifically listed in the majority Order.

- 7. Empire provided information in response to the January 8, 2008 letter on January 18 and 25, 2008, and February 15 and 25, 2008.
- 8. Staff filed its Initial Report Of Staff on April 3, 2008, informing the Commission it would file its Final Report no later than June 17, 2008. The Initial Report contains a summary of public comments received up to April 3, 2008, and is attached in that filing as Appendix C. Accordingly, Staff now submits its Final Report of Staff Investigation.
- 9. The Final Report begins with an executive summary, followed by discussion of each topic the Staff investigated.
- 10. A summary of Staff's Evaluation of Restoration Effort and Recommendations is contained on pages 45 through 47 of the Final Report.
- 11. Attachment B of the Final Report contains responses to the 14 questions raised by Commissioner Clayton's January 15, 2008 Concurring Opinion.

**WHEREFORE,** the Staff respectfully files its Final Report Of Staff Investigation with the Commission.

Respectfully submitted,

## /s/ Jennifer Hernandez

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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 17th day of June 2008.

# /s/ Dawn M. Carafeno