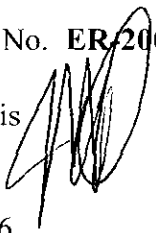
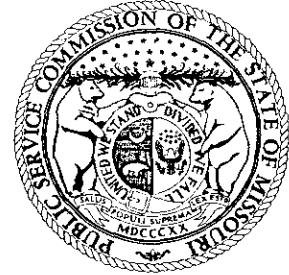


Notice of *Ex Parte* Contact

TO: Data Center
All Parties in Case No. **ER-2006-0315**

FROM: Chairman Jeff Davis 

DATE: September 18, 2006



On September 15, 2006 I received the attached letter from Mr. Richard Guffy regarding Empire District Electric Company. The Commission is currently considering the issues discussed in this document in case **ER-2006-0315** which is a contested case. In contested cases, the Commission is bound by the same *ex parte* rule as a court of law.

Although communications from members of the public and members of the legislature are always welcome, those communications must be made known to all parties to a contested case so that those parties have the opportunity to respond. According to the Commission's rules (4 CSR 240-4.020(8)), when a communication (either oral or written) occurs outside the hearing process, any member of the Commission or Regulatory Law Judge who received the communication shall prepare a written report concerning the communication and submit it to each member of the Commission and the parties to the case. The report shall identify the person(s) who participated in the *ex parte* communication, the circumstances which resulted in the communication, the substance of the communication, and the relationship of the communication to a particular matter at issue before the Commission.

Therefore, I submit this report pursuant to the rules cited above. This will ensure that any party to this case will have notice of the attached information and a full and fair opportunity to respond to the comments contained therein.

cc: Commissioners
Executive Director
Secretary/Chief Regulatory Law Judge
General Counsel

Received
9-15-06
148

riverstone6@hotmail.com

Printed: Monday, September 11, 2006 12:15 PM

From : Richard Guffy <riverstone6@hotmail.com>
Sent : Monday, September 11, 2006 12:10 PM
Subject : Empire Electric Outages

Dear Sir,

In 1997 and 1998 I set a high point in the frequency of outages. On Sept. 10, 2006 I set a high point on duration of outages, five and a half hours. Where I was the weather was clear. This year Empire Electric is one hundred years old. I really wonder if the reliability is any better that it was one hundred years ago.

I am a long-suffering Empire consumer now in my twentieth year. For this suffering I have paid Empire \$20,972.17 and have endured seven rate increases. Empire currently has a rate increase before the Missouri Public Service Commission. I'm sure if the customers who were affected by the outage on 9-10-06 were surveyed they would not approve another increase.

Sincerely,
Richard Guffy
962 W. Meadowview Dr.
Nixa, MO 65714
417-725-3306

CC: US Mail Jeff Davis, Chairman ✓
Public Service Commission