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MISSOURI PUBLIC SERVICE COMMISSION

FINANCIAL AND BUSINESS ANALYSIS DIVISION

CUSTOMER EXPERIENCE DEPARTMENT

REBUTTAL TESTIMONY

OF

CHARLES TYRONE THOMASON

**THE EMPIRE DISTRICT ELECTRIC COMPANY,
d/b/a Liberty**

CASE NO. ER-2024-0261

*Jefferson City, Missouri
August 2025*

**TABLE OF CONTENTS OF
REBUTTAL TESTIMONY OF
CHARLES TYRONE THOMASON**

**THE EMPIRE DISTRICT ELECTRIC COMPANY,
d/b/a Liberty**

CASE NO. ER-2024-0261

Call Centers.....	2
Third Party Call Center	6
CSR Messaging	12
Customer Callbacks.....	13
20 CSR 4240-13.045(9): Disputes	16
Customer Satisfaction	16
Account Notes	20
Disconnection Notices.....	25
Self-Serve Options	28
My Account Usage During Outage	29
Bill Payments	31
Autopay	33
My Account.....	34
Onsolve.....	37
Third Consecutive Estimate Letter	38
Tariff Changes	39
Conclusion	42

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22

OF

CHARLES TYRONE THOMASON

**THE EMPIRE DISTRICT ELECTRIC COMPANY,
d/b/a Liberty**

CASE NO. ER-2024-0261

Q. Please state your name and business address.

A. My name is Charles Tyrone Thomason. My business address is 200 Madison Street, Jefferson City, Missouri 65102.

Q. Are you the same Charles Tyrone Thomason who filed direct testimony in this case on July 2, 2025?

A. Yes, I am.

Q. What is the purpose of your rebuttal testimony?

A. This testimony aims to address Staff’s concerns with elements of The Empire District Electric Company, d/b/a Liberty’s (“Empire”) customer service that are not directly attributable to the Customer First transition. As such, my silence regarding any Customer First-related statements made in the direct testimonies of Empire or of the Office of the Public Counsel (“OPC”) witnesses should not be construed as agreement. Instead, please refer to my Customer First-focused direct testimony in this case.

The purpose of my rebuttal testimony is to respond to the direct testimonies of Empire witnesses Candice Kelly, Colin Penny and Timothy N. Wilson, and the Revenue Requirement direct testimony of OPC witness Dr. Geoff Marke, regarding various customer

1 service issues. I will also recommend changes to Empire’s current tariff language to address
2 deviations from the language found in 20 CSR 4240-13.¹

3 Q. What topics will you be covering in your rebuttal testimony?

4 A. In addition to the tariff language, this testimony will cover call centers,
5 disconnection notices, self-service options, Onsolve, and the third consecutive estimate letter.

6 **CALL CENTERS**

7 Q. Please provide a brief description of Empire’s call centers.

8 A. Empire utilizes two call centers; one in Joplin, Missouri, and the other in
9 Ozark, Missouri. In addition to taking calls for Empire electric customers in Missouri, the call
10 centers also take calls from customers of The Empire District Gas Company, d/b/a Liberty
11 (“Empire Gas”) and Liberty Utilities (Missouri Water) d/b/a Liberty (“Liberty Water”). The call
12 centers field calls from customers in Missouri, Arkansas, Oklahoma, and Kansas.²

13 Q. On page 8, lines 7-12, of her direct testimony, Empire witness Candice Kelly
14 notes that the call centers saw an increase in call volume, average handle time, and not ready
15 time following the Customer First conversion in April 2024. She later notes that Empire
16 expected there to be a “learning curve” for both its customers and its employees to get used to
17 the new system and that, as of September 2024, metrics were “slowly trending back to the
18 appropriate levels.”³ Do you agree with these statements?

19 A. In part. Staff receives and reviews Empire’s monthly call center statistics
20 through the Call Center Report sent by Empire, as required by the Stipulation and Agreement

¹ Service and Billing Practices for Residential Customers of Electric, Gas, Sewer, and Water Utilities.

² Empire response to Staff DR Nos. 0180 and 0217.

³ Candice Kelly Direct testimony, page 9, lines 11-16.

Rebuttal Testimony of
Charles Tyrone Thomason

1 filed in Case No. ER-2004-0570. Staff's observations over the past year have been that call
2 volume increased significantly starting in April 2024 and did not fully return to normal levels⁴
3 until September 2024.

Call Volume ⁵					
	2021	2022	2023	2024	2025
January	37,790	27,035	31,795	28,582	30,041
February	40,271	27,608	30,767	32,985	29,188
March	42,131	33,874	33,244	28,548	34,582
April	30,475	28,680	26,801	52,981	
May	28,648	31,983	29,974	54,685	
June	31,282	35,225	33,040	42,145	
July	30,967	30,594	35,345	40,242	
August	34,660	40,933	34,258	44,527	
September	40,017	38,386	32,305	31,892	
October	32,646	37,746	30,490	33,274	
November	29,567	31,375	27,675	27,797	
December	26,801	27,103	23,109	26,816	

4
5 Staff also observed increases in Average Customer Talk Time⁶ and Average Not Ready Time⁷
6 starting in April 2024. Those metrics returned to pre-transition levels by November 2024.

⁴ According to Empire's response to Staff DR No. 0185, Empire considers normal levels to be around 32,000 calls per month from Missouri customers.

⁵ OO-2025-0233, Empire response to Staff DR No. 0023.

⁶ Time spent talking to a customer on the phone.

⁷ Time spent after a call before being ready to receive a new call, usually spent conducting work related to the caller's account.

However, Empire has other target metrics for its call centers as well. For Abandoned Call Rate (“ACR”), the target is 5% or less. For Average Speed of Answer (“ASA”), the goal is less than 30 seconds. For Service Level,⁸ the target is 80% or higher. ACR has remained largely consistently at 1% or 2%, with exceptions for the months of July 2024 (5%) and August 2024 (11%). The consistency is likely because Empire has been utilizing Customer Callback technology when estimated wait times exceed three minutes.⁹ Empire has met its ASA target only three times since the implementation of Customer First in April 2024, though it should be noted that in 2023 Empire met its target only five times.

Average Speed of Answer ¹⁰ (sec)					
	2021	2022	2023	2024	2025
January	31	12	27	26	20
February	56	19	41	16	51
March	42	20	38	20	77
April	11	14	32	31	101
May	9	23	17	33	29
June	13	30	38	23	40
July	20	23	69	204	
August	30	38	20	479	
September	49	26	30	40	
October	29	28	32	35	
November	45	22	25	45	
December	21	24	16	63	

Although Empire’s Service Level started at above 90% for the first half of 2024, it has since declined. As with ASA and ACR, the worst months were in July and August 2024. Similar to ASA, Service Level has been worse than pre-transition levels since July 2024, though it did return to normal levels, along with ASA, in May and June 2025. Staff notes that Empire met its

⁸ Defined as the percentage of calls answered in 30 seconds or less.

⁹ Empire response to Staff DR No. 0182.

¹⁰ Source: Call Center Report. These values include calls from other utilities and other states.

Service Level target for a majority of the time; however, there have been five months since the implementation of Customer First where Service Level dipped below 80%, including as recently as March and April 2025.

Service Level ¹¹					
	2021	2022	2023	2024	2025
January	73%	94%	82%	91%	93%
February	66%	87%	72%	93%	84%
March	71%	87%	77%	92%	71%
April	95%	92%	83%	90%	70%
May	97%	85%	98%	95%	91%
June	93%	80%	86%	94%	93%
July	85%	85%	84%	42%	
August	75%	79%	92%	23%	
September	63%	82%	86%	83%	
October	74%	85%	82%	85%	
November	66%	86%	87%	78%	
December	86%	88%	92%	83%	

Please note that this information is meant to be informative in relation to Empire's target metrics, and not as an argument of inadequacy. At this time, Staff does not believe these metrics are cause for concern. Additionally, Staff does not believe that adequately meeting call center metric targets equates to adequate customer service. Metrics serve primarily as a tool to indicate call center efficiency in answering customer calls.

Q. Is Staff aware of what might have occurred in July and August 2024 that led to lower ACR, ASA, and Service Level metrics?

A. Yes. In combination with a large call volume for those months, July and August 2024 were the first months since the implementation of Customer First during

¹¹ Source: Call Center Report. These values include calls from other utilities and other states, but differ from Missouri-specific electric calls by no more than 1%.

1 which Empire's call center did not have the support of a third party call center to assist with
2 answering calls.

3 **Third Party Call Center**

4 Q. Starting on page 8, line 15, through page 9, line 3, of Ms. Kelly's direct
5 testimony, she notes that Empire hired a third-party vendor to assist with the potential increase
6 in call volume from the transition. She also states that Empire stopped using the third-party
7 vendor at the end of June 2024 due to performance concerns. On page 54, lines 21-23, of his
8 Revenue Requirement direct testimony, Dr. Marke recommends a disallowance for costs related
9 to ContactPoint360 ("CP360"). Are these two witnesses referring to the same entity?

10 A. Yes, my understanding is that the third party call center hired by Empire to assist
11 with calls during the Customer First transition, and subsequently let go at the end of June 2024,
12 was CP360.

13 Q. Is Staff in support of Dr. Marke's recommended disallowance for CP360?

14 A. Lacking any specifics as to what such a disallowance would look like, Staff will
15 remain silent on the recommendation at this time. Staff does acknowledge that Empire's call
16 center metrics from April-June 2024 would likely have been worse without the assistance of
17 CP360 agents answering phones, given the large call volume for those months. That being said,
18 Staff can also provide the Commission with contextual information regarding CP360 and the
19 performance issues that prompted Empire to cancel its relationship, which should be considered
20 along with Dr. Marke's recommendation.

21 Q. What additional contextual information does Staff have regarding CP360?

22 A. As indicated by Ms. Kelly and Dr. Marke, Empire (as well as Liberty Water and
23 Empire Gas) began utilizing CP360 in April 2024, coinciding with the implementation of

1 Customer First, in anticipation of high call volume that would put a strain on Empire's
2 in-house call centers. Staff's understanding is that CP360 was chosen at least partially
3 because it had previously done work with Empire's out-of-state co-subsiidiaries, including those
4 in the Eastern United States. It also assisted Liberty Utilities (Midstates Natural Gas) Corp.
5 ("Liberty Midstates") during and after its October 2023 Customer First transition.
6 CP360 Customer Service Representatives ("CSR") were given two weeks of in-person training
7 on how to handle Empire processes (excluding emergency calls), after which they were added
8 to the Empire phone system to be routed the same customer calls as in-house Empire CSRs.¹²
9 According to the Call Center Report, there were 50 CP360 CSRs working alongside Empire's
10 CSRs in April 2024 and 60 CP360 CSRs in May and June 2024. The service contract was
11 terminated by Empire on June 30, 2024.

12 Q. Ms. Kelly mentioned performance issues led to the decision to terminate
13 Empire's relationship with CP360. Can you elaborate?

14 A. Yes. According to Empire, it received numerous customer complaints regarding
15 orders not placed, incorrect orders issued, and incorrect information given to customers.¹³
16 In addition to the reasons cited by Empire, Staff became aware through formal and informal
17 complaints that the use of CP360 had compromised Empire's inquiry resolution process.

18 Q. What were the consequences of failing to properly log service orders?

19 A. In cases where service orders were not entered at all, there was no action taken
20 on a customer's account. For example, if a customer requested a turn-on for a specific date, he
21 or she might have found upon moving in that they did not have electricity. In cases where

¹² OO-2025-0233, Empire's response to Staff DR No. 0061.

¹³ Empire response to Staff DR No. 0193.

1 service orders were not correctly issued, Empire may not have taken the appropriate action or
2 may not have acted at all. Empire provided examples of cases where move-in orders were
3 improperly input as other types of orders, resulting in the orders being forwarded to the wrong
4 departments and the customer's power not being turned on. Empire also provided examples of
5 cases where the situation should have prompted a same-day emergency order but instead was
6 logged as a less-urgent maintenance order.

7 Q. How was Empire's customer inquiry resolution process compromised by the use
8 of CP360?

9 A. This occurred in two different ways: the improper handling of complaint tickets
10 and the inaccessibility of customer information for CP360 CSRs. The latter relates to some of
11 the incorrect information given to customers.

12 Q. What issues did Empire's use of CP360 cause related to complaint tickets?

13 A. Liberty Water's response to Staff Data Request (DR) No. 0283 in the
14 WR-2024-0104 rate case, which asked about Liberty Water's responses to its informal
15 complaints CI202401463 and CI202401456, indicates CP360 CSRs were creating tickets in the
16 Customer Information System ("CIS") for follow-ups to customer inquiries but then were not
17 assigning those tickets to anyone.¹⁴ Because those tickets were not assigned, they were not
18 getting worked and Liberty Water was not aware of their existence. In both of the
19 aforementioned informal complaints, the customers had to make further calls to the call center
20 after hearing nothing about their inquiries for weeks. According to Liberty Water, "This was a
21 training issue with the third-party vendor and how they were reporting customer

¹⁴ Although Liberty Water's response to DR No. 0283 implies that all cases were because of the third party call center, Staff notes that Liberty Water's response to CI202401456 indicated that it was a supervisor who entered a ticket without assigning it to anyone. It is unclear if this supervisor was an employee of CP360 or Liberty.

1 questions/concerns.” As mentioned previously, Liberty Water and Empire customers use the
2 same call center which used the same third party call center. Staff does not know at this time
3 how many such unassigned tickets were created for Empire customers specifically.

4 Q. What issues did CP360 cause related to customer information accessibility?

5 A. As discussed in greater detail on pages 70-71 of my direct testimony, the
6 Customer First CIS, SAP, is not currently holding all customer account information from
7 Empire’s prior CIS, Customer Watch. Information not transferred, such as payment and charge
8 history, meter read history and bill invoice PDFs, is only accessible by accessing Customer
9 Watch. CP360 CSRs, lacking access to Customer Watch, were unable to respond to customer
10 inquiries regarding the information they could not access. For customer inquiries requiring
11 information in Customer Watch, Empire directed CP360 CSRs to send an email to a shared
12 inbox actively monitored by Empire supervisors.¹⁵ Those supervisors would then either
13 forward the email to an Empire CSR or handle the request themselves.¹⁶

14 However, within a few weeks of CP360 beginning to assist with calls, Empire became
15 aware CP360 CSRs were not using this procedure. Instead, CP360 CSRs were misinforming
16 customers that historical account information was no longer available due to the Customer First
17 transition. Staff became aware of this issue while reviewing phone calls during a formal
18 complaint investigation in Case No. EC-2025-0069, to which Empire was the Respondent.
19 The Complainant was told on three separate occasions (April 16, May 10, and June 12, 2024)
20 that payment records and billing history were unavailable.¹⁷

21 Q. Does Staff believe the fault lies entirely with CP360 for this situation?

¹⁵ Empire response to Staff DR No. 0193.

¹⁶ Empire response to Staff DR No. 0193.1.

¹⁷ EC-2025-0069, Empire response to Staff DR No. 0002.

1 A. No. Staff's opinion is this workaround, meant to compensate for data unable to
2 be transferred to the new CIS, constitutes poor customer service even when functioning as
3 intended. If a customer needing historical information happens to be connected to a CSR
4 without the proper system access, that customer's inquiry cannot be resolved with that phone
5 call. Empire's process would require the customer to be called back later after someone with
6 access to Customer Watch retrieved the requested information. Staff has heard from multiple
7 customers, and reviewed several informal complaints, indicating Empire sometimes failed to
8 make promised callbacks to customers. Unassigned complaint tickets, for example, would not
9 produce a customer callback.

10 In its *Staff Report and Recommendation* filed in case EC-2025-0069, Staff noted
11 Commission Rule 20 CSR 4240-13.040(2) states:

12 A utility shall establish personnel procedures which, at a minimum,
13 ensure that— (A) At all times during normal business hours qualified
14 personnel shall be available and prepared to receive and respond to all
15 customer inquiries, service requests, safety concerns, and complaints. A
16 utility shall make necessary arrangements to ensure that customers
17 unable to communicate in the English language receive assistance.

18 Staff stopped short of alleging a violation of the rule because Empire CSRs were technically
19 available during normal business hours. However, Staff did voice its concern that some of those
20 representatives were unable to access information necessary to respond to the Complainant's
21 inquiries and complaints.

22 Q. What measures did Empire take pertaining to its call centers after terminating its
23 relationship with CP360?

24 A. Empire states it cross trained agents from other regions to assist with the call
25 volume and drafted employees from other departments, who had previously worked as CSRs,
26 to assist as well. Empire began using Call Sharing with agents from the (US) East region and

1 Liberty Midstates in July 2024, and continues to use the feature during times of high call
2 volume.¹⁸ In addition, Empire posted six new permanent CSR positions in September 2024.¹⁹
3 As Ms. Kelly noted in her testimony,²⁰ Empire also brought in “quality agents” from other
4 regions to train and coach CSRs on matters such as navigating SAP, proper account
5 documentation, and effectively/efficiently handling customer calls. Those quality agents were
6 in place from August 26, 2024 to September 6, 2024.²¹

7 Q. Since CP360 is no longer being used, are Staff’s customer service concerns
8 regarding Empire’s call center resolved?

9 A. No, agents from other regions who are assisting Empire with calls also do not
10 have access to Customer Watch. In cases where a customer needing information from the old
11 system speaks to a CSR from a different region, the CSR sends an email to a supervisor and
12 tells the customer they will be called when the information is retrieved.²² Furthermore, as
13 explained below, there are additional concerns Staff has unrelated to CP360.

14 Q. Does Staff believe Empire’s call centers have other issues outside of those
15 identified by Ms. Kelly and Dr. Marke?

16 A. Yes. In its review of customer feedback, phone call recordings, public comments
17 and complaints, Staff has developed concerns regarding inconsistent CSR messaging, customer
18 callbacks, Empire’s compliance with Commission rule 20 CSR 4240-13.045(9), customer
19 satisfaction, and account notation.

¹⁸ Empire response to Staff DR No. 0186.

¹⁹ Empire response to Staff DR No. 0193.2.

²⁰ Candice Kelly Direct testimony, page 9, lines 4-5.

²¹ Empire response to Staff DR Nos. 0184 and 0184.1.

²² Empire response to Staff DR No. 0424.

CSR Messaging

Q. To what are you referring with the term “CSR messaging?”

A. CSR messaging refers to the information provided by CSRs to customers in response to common inquiries. These are usually conveyed to CSRs through training or, if an event occurs that generates multiple customer inquiries, by providing talking points to CSRs. Effective CSR messaging strategies aim to produce two observable results under similar circumstances: 1) Two customers calling about the same event or inquiry (e.g., an outage or customer program opportunities) receive the same, beneficial information, and 2) One customer making the same inquiry to two different CSRs receives the same information from both CSRs.

CSR messaging that does not accomplish these results may be producing a different quality of customer service for each customer. Furthermore, utility customers who receive different answers from different CSRs are more likely to become frustrated with the utility and less likely to accept that the utility is conveying factual information.

Q. Does Empire currently employ any CSR messaging strategies?

A. Staff inquired about whether any messaging instructions were given to Empire CSRs regarding missing bills in particular. Empire responded that, in addition to formal training classes, CSRs attend monthly meetings to discuss customer care issues and convey reminders, including about missing bills.²³

Q. What concerns does Staff have with Empire’s CSR messaging?

A. Staff has received numerous reports from customers that the information received upon contacting the call center has been inconsistent and sometimes contradictory. For example, some customers who call about delayed bills are advised to pay what they think

²³ Empire response to Staff DR No. 0440.

1 they owe until the billing situation is resolved. Other customers report having been told they
2 should not make a payment because they currently owe nothing. Customers have also reported
3 receiving inconsistent responses related to solar credits, recent payment history, refunds, and
4 balances owed based on the CSR responding to the inquiry. For example, one customer who
5 attended the Bolivar Local Public Hearing in this case reported being told by one CSR it was
6 possible to combine multiple commodity types on a single bill (joint billing) after being
7 previously told by a different CSR it was not possible.

8 Although some of these instances can likely be attributed to the CP360 CSRs, similar
9 complaints about CSRs have persisted long after Empire stopped using CP360 to assist with
10 calls. It is Staff's opinion that, in response to similar inquiries under similar circumstances, all
11 CSRs should be conveying similar information to customers.

12 **Customer Callbacks**

13 Q. What concerns does Staff have regarding customer callbacks?

14 A. Another recurring complaint Staff has heard from customers is that they do not
15 receive callbacks after either requesting one from Empire or being told Empire will follow up
16 with them at a later date. Staff has reviewed multiple examples in formal and informal
17 complaints where customers were promised a callback within a certain period of time but the
18 customer later had to call back after hearing nothing from Empire. Staff has also reviewed
19 customer survey feedback and other comments where customers indicate that they did not
20 receive a callback.²⁴ For example:

21 "Complete the mission. I hear "I'll make sure this is taken care of." Or I'll
22 have them tell me that I'll get a call back regarding the issue of bills being
23 mailed - no calls have ever been received." June 17, 2025.
24

²⁴ Empire response to Staff DR Nos. 0200.2 and 0201.2.

Rebuttal Testimony of
Charles Tyrone Thomason

1 “Have knowledgeable people to answer questions about a bill. And return a
2 phone call when they say “I’ll call ya back”. Don’t tell someone what you can’t
3 do! If ya can’t do it don’t say it.” June 14, 2025.

4
5 “Have been trying to get setup online for 9 months since we moved here and
6 can’t. Have called several times now, and a few tickets have been sent to IT but
7 still nothing. Last ticket was sent over a month ago and still know follow up
8 calls or resolution.” June 13, 2025.

9
10 “I have had to call 6 times in a month because my bill is so messed up and not
11 anything I have done. The last 2 reps have been great. Kelsey & Jessica. The
12 prior ones never called me back and once disconnected they didn’t call me back
13 to finish the call. I don’t always get an accurate or correct answer to what’s
14 going on with the exception of Kelsey & Jessica. If the billing wasn’t so messed
15 up I wouldn’t need to call 6 times in a month.” April 8, 2025.

16
17 “Return my call as requested on the "ticket" generated in the call-some 2 weeks
18 ago.” April 8, 2025.

19
20 ...I mean, then, okay, you're going to charge me late fees for bills that I never
21 received. And you expect me to pay them. Took me three phone calls over the
22 course of, I think, three different months here where I'm on the phone with the
23 rep for a good 30 minutes, 45 minutes. Oh, we'll take care of it and get back to
24 you. I never get a phone call back. I never get a credit. And some of these are
25 stupid. They're 20 cents, but you know what? It's principal; right?²⁵

26
27 I have a letter here where they said that I owe them \$1,368. My previous bill
28 was for \$465 and it had been sent out four times. When I called them to inquire
29 about this, the person on the phone became confused and couldn't figure out
30 what was going on with my account and told me they'd have to call me back.
31 I never received a call back on that, which illustrates the poor communication
32 I've gotten from Liberty on those matters. Every time I've approached them this
33 is characteristic of how they've behaved. So I don't know if this is incompetence
34 or malice, but it's egregious and it needs to stop.²⁶

35 Under ordinary circumstances, it would be concerning to Staff to hear multiple
36 complaints from customers regarding unfulfilled callback promises. In the case of Empire, it is

²⁵ OO-2025-0233, Transcript - Volume 4 (Town Hall - Joplin, MO - June 12, 2025) page 79, lines 11-20.

²⁶ OO-2025-0233, Transcript - Volume 2 (Town Hall - Branson, MO - June 11, 2025) page 19, line 17 to
page 20, line 3.

1 especially concerning because, as explained above, information inaccessibility has built in an
2 additional circumstance where some CSRs have no other option but to promise a callback.

3 Q. Did Staff inquire about Empire's process for tracking callbacks?

4 A. Yes, specifically in the case of escalated callbacks. According to Empire,
5 if someone at the required escalation level is not available, an email is sent by the CSR on
6 the phone with the customer. If a Senior CSR is needed, then it goes to a shared inbox.
7 A Senior CSR will then assign the email to themselves and call the customer back. If a
8 Supervisor or Manager is needed, then he or she is directly sent an email.²⁷

9 Q. How does Empire know that escalated callbacks successfully occurred?

10 A. According to Empire, the phone call recording and the account note
11 documentation of the call is the verification that the callback occurred. However, Empire was
12 unable to provide any data that would indicate how often escalation callback requests occur,
13 how often they are completed, and how often they are not completed because Empire does not
14 track that information.

15 Q. Does Staff have a recommendation?

16 A. Yes. Staff recommends Empire establish a process for customer callbacks that
17 effectively records the need for a callback, tracks the status of that callback, and verifies the
18 execution of the callback within a reasonable period of time following the request.

19 Based on customer feedback, Staff believes that there are opportunities for improvement
20 in ensuring customers receive callbacks as promised. However, absent more visibility into the
21 effectiveness of Empire's current process for callbacks, it is impossible to know where those
22 improvement opportunities lie.

²⁷ Empire response to Staff DR No. 0441.

20 CSR 4240-13.045(9): Disputes

Q. What is Staff's concern regarding Commission Rule 20 CSR 4240-13.045(9)?

A. Commission rule 20 CSR 4240-13.045(9)²⁸ requires utilities to inform customers of their right to file a complaint with the Commission if the utility is unable to resolve a dispute to the customer's satisfaction. Staff is concerned Empire CSRs are not informing customers of that right.

Q. On what basis does Staff have this concern?

A. Staff concluded during its formal complaint investigation in Case No. EC-2025-0069 that Empire violated 20 CSR 4240-13.045(9) by not informing the Complainant of the option to file a complaint with the Commission.²⁹ Furthermore, Staff's review of phone calls, obtained in this case and in the ongoing Case No. OO-2025-0233 investigation, has yet to find an instance of a CSR informing a customer of their right to file a complaint with the Commission even in cases where Empire was unable to resolve the issue to the customer's satisfaction. Staff did, however, review a May 15, 2025, phone call during which the customer explicitly asked the CSR where he could make a complaint. The CSR did not inform the customer that he may file a complaint with the Commission.³⁰

Customer Satisfaction

Q. Does Empire measure its customers' satisfaction with its call center?

A. Yes. One of the ways it does so is through a post-call survey. That survey measures criteria such as satisfaction with the CSR, satisfaction with the call, and whether the customer had to call Empire multiple times to resolve an issue.

²⁸ "If the utility does not resolve the dispute to the satisfaction of the customer, the utility representative shall notify the customer that each party has a right to make an informal complaint to the commission, and of the address and telephone number where the customer may file an informal complaint with the commission...."

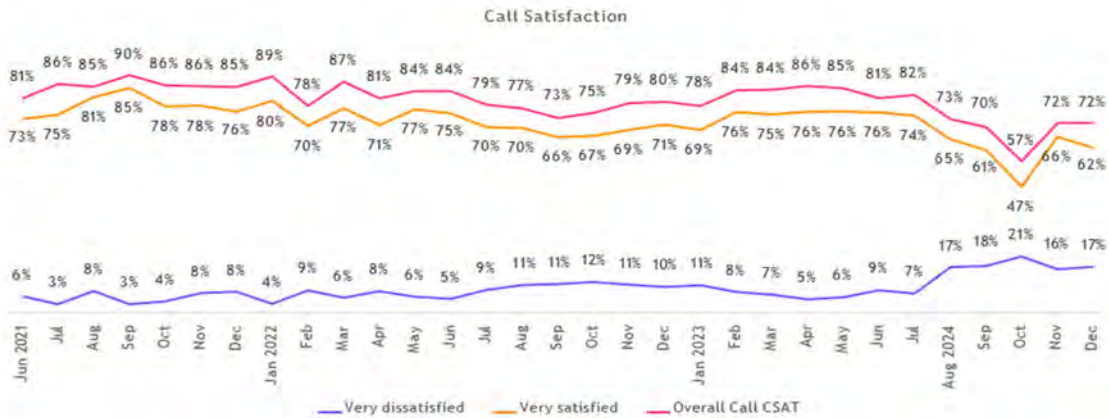
²⁹ EC-2025-0069, *Staff's Report and Recommendation*.

³⁰ OO-2025-0233, Empire response to Staff DR No. 0105, May 15, 2025 phone call.

Q. How have these metrics fared since the implementation of Customer First?

A. Below are graphs provided to Staff in response to Staff DR No. 0214:

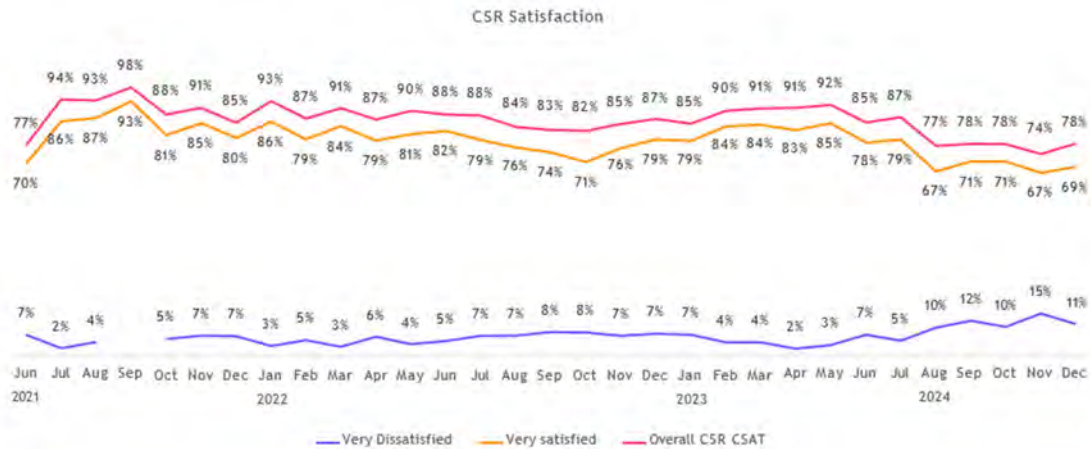
Call Satisfaction Trends: 2021-2024



Q. How satisfied were you overall with your call with Liberty?

Liberty | Voice of the customer

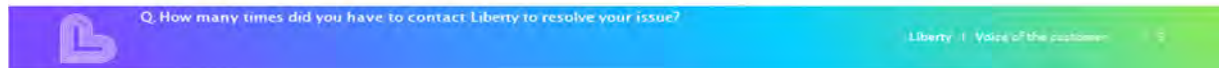
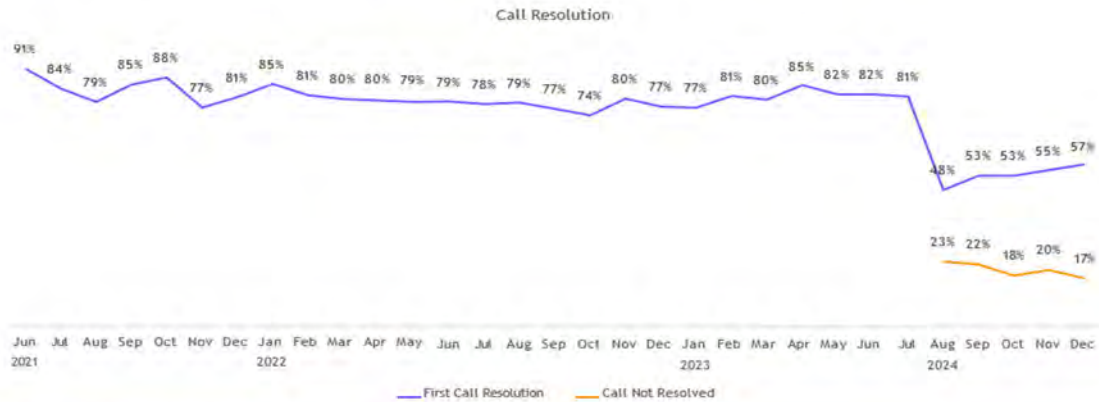
CSR Satisfaction Trends: 2021 - 2024



Q. How satisfied are you with Liberty customer service representative who handled your call?

Liberty | Voice of the customer

Call Resolution Trends: 2021 - 2024



As demonstrated in the graphs above, CSR satisfaction, call satisfaction, and call resolution decreased noticeably in August 2024 and remained below pre-decline levels for the rest of 2024. Staff does not have a ready explanation for this; the decline does not appear to be directly related to the implementation of Customer First or the use of CP360. It is possible that customers were becoming more cognizant of the billing issues around this time. Regardless, from a customer satisfaction perspective the call center did not recover in 2024.

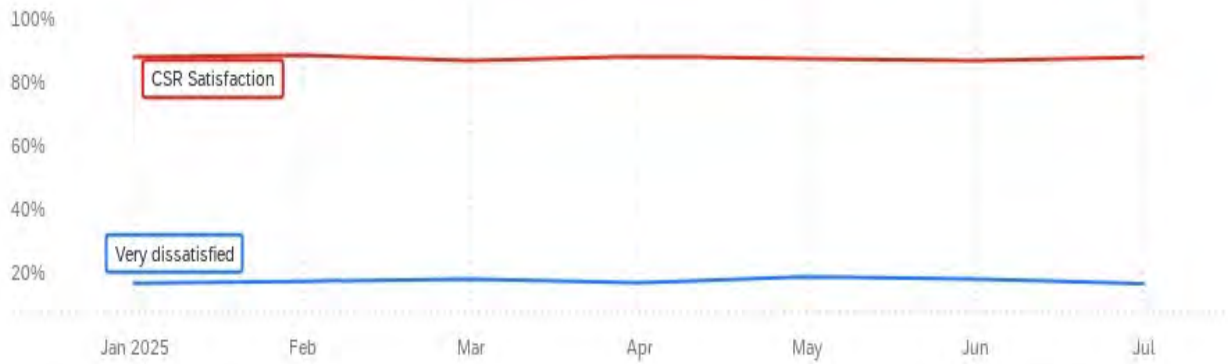
Q. Has customer satisfaction in Empire's call center recovered in 2025?

A. Staff requested updated data to the information above in Staff DR 0214.1.

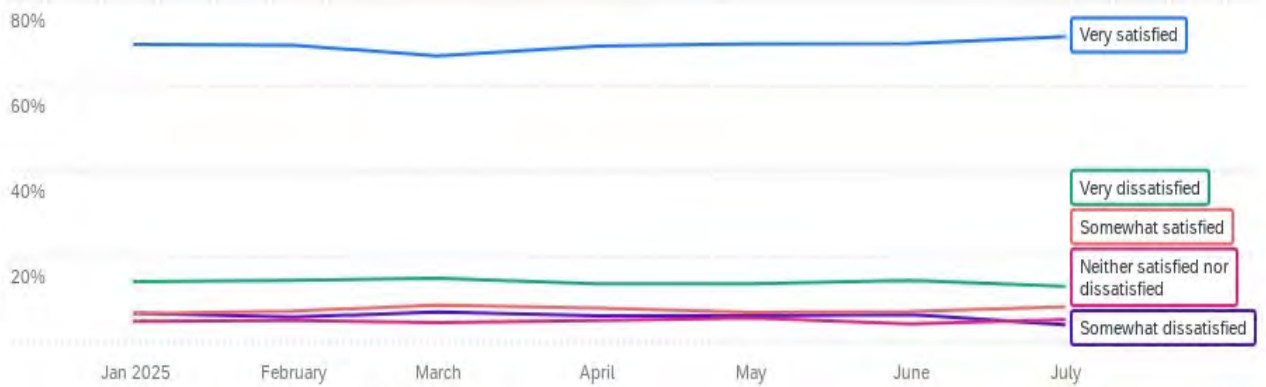
On July 29, 2025, Empire responded with the graphs below:

Rebuttal Testimony of Charles Tyrone Thomason

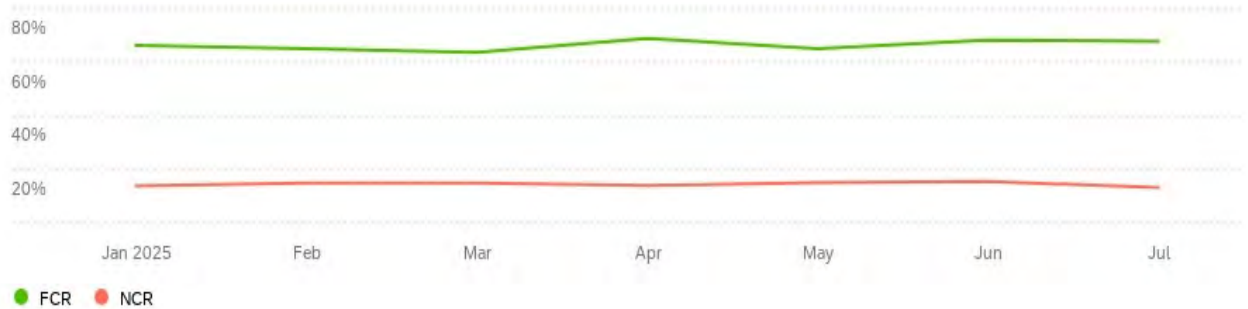
CSR Satisfaction Trend 9,067



Call Satisfaction Trend



Call Resolution 8,290



1 As demonstrated above, the 2025 graphs are less detailed and more difficult to read than the
2 2021-2024 graphs. However, Staff believes these graphs indicate that all three metrics are still
3 lower than they were prior to the conversion. If Staff's reading of the graphs is incorrect,
4 Staff invites Empire to provide a more accurate description, with the underlying data, in
5 surrebuttal testimony.

6 **Account Notes**

7 Q. Have account notes been an issue for Empire's call center in the past?

8 A. Yes. One of Staff's findings during the Liberty Water Investigation (Case No.
9 WO-2022-0253) was that CSRs were not providing consistent information to customers and
10 using account notes to document actions taken with customers.³¹ Staff recommended Liberty
11 Water CSRs utilize account notes to document conversations with customers and actions taken
12 on accounts. During the WR-2024-0104 rate case, Staff noted that its review of random
13 phone calls and associated account notes had found deficiencies in the account notes for several
14 of the calls.³² In the Stipulation and Agreement in that case, Liberty Water agreed to implement
15 a written policy that account notes must be utilized for all calls with the exception of customers
16 asking to be transferred to the payment system or reporting an emergency that results in an
17 order in the outage manage system, and to implement training on this policy.³³ Liberty Water
18 shares the same call center as Empire, and the same concerns about account notes that applied
19 to Liberty Water also apply to Empire.

20 Q. Has there been improvement with account note documentation since the
21 conclusion of Case No. WR-2024-0104?

³¹ WO-2022-0253, *Staff's Report*, page 20.

³² WR-2024-0104, Direct testimony of Lisa Stockman, page 10.

³³ WR-2024-0104, *Stipulation and Agreement*, paragraph 13.

Rebuttal Testimony of
Charles Tyrone Thomason

1 A. As the effective date of the *Order Approving Stipulation and Agreement* in that
2 case was February 2, 2025, it is still early. However, Staff's preliminary review of sample calls
3 that took place in April 2025, and the associated account notes, found instances where calls
4 should have generated account notes but did not, inconsistencies regarding when notes are
5 taken, and a lack of detail regarding the discussion that took place during the call.

6 For example, in one call the customer complained about a high bill, and the CSR
7 reviewed the customer's account and explained the bill was sent out before payment for the
8 prior month's bill was received.³⁴ This conversation was not documented in the account notes.

9 In another case, a customer called because he had not received a bill. The CSR emailed him a
10 copy of the bill and transferred him to the payment line.³⁵ This interaction was not recorded in
11 the account notes. However, a virtually identical interaction on the same day, during which a
12 customer stated she did not receive a bill and was ultimately transferred to the payment line,
13 was documented in the account notes as "CCI said she did not receive her bill. Sent to KUBRA
14 to pay."³⁶

15 Other account notes state the outcome of the conversation, but not any of the details of
16 the conversation itself. For example, in one call the customer stated she had tried to pay over
17 the phone using the automated system but her phone number was not recognized and she was
18 unable to put in her account number before being automatically disconnected. The CSR
19 confirmed her information and transferred her to a live representative who could take her

³⁴ OO-2025-0233, Empire response to Staff DR No. 0057, April 9, 2025 Call #33.

³⁵ OO-2025-0233, Empire response to Staff DR No. 0057, April 9, 2025 Call #23.

³⁶ OO-2025-0233, Empire response to Staff DR No. 0057, April 9, 2025 Call #17. Kubra is the payment system Empire uses to accept payments over the phone.

1 payment. The account notes for the conversation simply state “Transferred to kubra” with no
2 mention of the customer’s difficulties with the automated system.³⁷

3 Q. Has Staff reviewed the training materials given to CSRs regarding
4 account notation?

5 A. Yes. Specifically, Staff reviewed two documents titled “Specifics of Notating
6 an Account” and “Basics of Noting a Customer’s Account” provided in response to Staff DR
7 No. 0212. The latter document states, “Anyone should be able to read the notes and understand
8 all that transpired on the call” and “All customer accounts must be noted after any interactions.”
9 The two exceptions to the rule are if the CSR enters an emergency order or if the customer is
10 immediately transferred to Kubra without the CSR opening the account. The document goes
11 on to say “IF you need to open the customer’s account for any reason then you MUST notate
12 the account.”

13 It is clear from Staff’s review of the April 2025 phone calls that the application of these
14 instructions is uneven. Some of the accompanying account notes have sufficient detail so a CSR
15 can understand what took place during prior calls, while other account notes are cursory or
16 nonexistent, even in cases where the CSR accessed the customer’s account. It appears the
17 existence and level of detail recorded in the account notes is subject to the discretion of the CSR
18 who handles the call. Staff believes this uneven approach to account notes is not conducive to
19 effective customer service, and presents a vitally important training opportunity for Empire to
20 ensure all CSRs are adhering to account notation instructions.

21 Q. According to page 6, lines 3-5, of Collin Penny’s direct testimony,
22 “The new CIS provides customer service representatives access to a holistic view of the

³⁷ OO-2025-0233, Empire response to Staff DR No. 0057, April 9, 2025 Call #42.

1 customer via real-time system consolidation of customer records.” Does Staff agree with
2 this statement?

3 A. No. In certain cases where other documentation is created, Empire’s stated
4 policy is that account notes are not necessary. For example, in cases where service orders for
5 outages or emergencies are created, the order itself is considered to be the documentation, along
6 with the phone call.³⁸ However, Staff’s understanding is service-related events and orders do
7 not appear in customer account notes unless the CSR makes a separate notation. Otherwise, the
8 CSR must check a different location than the customer’s account notes in order to learn the
9 existence or status of service orders or tickets. This does not suggest a “holistic view” of the
10 customer is available through “consolidation.” Staff has reviewed several phone calls where
11 this disconnect is evident in the CSR’s response to a customer inquiry, and will recount one
12 phone call in particular to demonstrate the issue with this approach.

13 On July 15, 2024, a customer called Empire to report an outage from a household with
14 two elderly inhabitants. The Empire CSR notes there were no other reported outages in the area,
15 and requests the customer check to see if the circuit breaker had tripped. The customer has to
16 locate a flashlight and then check the breaker, which was not tripped. The customer then
17 mentions she had put in a turn-on request at a different address for the same day, but had not
18 asked for a turn-off at her current address. She asks whether the turn on at the other address
19 could have been mistakenly combined with a turn off at her current address. The CSR puts her
20 on hold to contact the Meter Department, where she learns the previous CSR to whom the
21 customer spoke had incorrectly entered a transfer order instead of a turn on order, leaving the

³⁸ EC-2025-0069, Empire response to Staff DR No. 0001.1. Since CSRs do not review prior phone call recordings while on the phone with a customer, phone call recordings are not helpful to CSRs when responding to a live phone call.

1 customer's current address without power. After apologizing for the error, the CSR tells the
2 customer her power will be restored as soon as possible.³⁹

3 Staff's position is that a "holistic view" of a customer means the CSR should have been
4 aware of the turn off event on the account simply by looking at the account notes. The customer
5 should not have had to provide information to the CSR to indicate there may be basic service
6 activity related to the customer's account of which the CSR did not have visibility. Nor should
7 the CSR have had to contact a different department just to see if a turn off service order had
8 been completed on the customer's account.⁴⁰ If the customer had not presented the possibility
9 that an error had occurred in her unrelated service request, extra time and resources would have
10 been wasted sending a technician to investigate the outage, time during which the customer
11 would have been without electricity on a summer day.

12 Q. Does Staff have any recommendations regarding Empire's call centers?

13 A. Yes.

- 14 • Staff believes Empire CSRs who answer customer calls do not currently have
15 the holistic view of customer accounts necessary to efficiently answer inquiries,
16 whether that be because the information is stored in a different system (as with
17 service tickets and as with the customer information not transferred to the new
18 Customer Information System), or because the account notes left by other CSRs
19 are deficient. Staff recommends Empire review its processes for the storage,
20 retrieval, and presentation of customer account information to eliminate
21 instances where CSRs are unaware of events that occur (or are scheduled to
22 occur) on customer accounts and instances where CSRs are unfamiliar with what

³⁹ Empire response to Staff DR No. 0217, July 15, 2024 Phone call #27.

⁴⁰ Staff recognizes that CSRs are sometimes required to contact other departments based on the nature of the inquiry. However, Staff believes basic service events, such as turn-ons, service transfers, and turn-offs, are important enough to a customer's account that the CSRs should have ready visibility of them.

customers have been told by Empire in prior communications. This would include incorporating service tickets into customer account notes.

- Staff recommends Empire emphasize consistent messaging to customers experiencing common billing issues (e.g., delayed/missing bills), keeping in mind the customer's best interests, and train CSRs to use that messaging. This should apply for ongoing issues and be revised for any new issues that develop in the future. Account notes should detail what the CSR told the customer in response to an inquiry for future reference.

Finally, Staff incorporates two of its recommendations from Case No. EC-2025-0069 into this case. Those recommendations are as follows:

- Staff recommends that the Commission order Empire to put a process in place ensuring that CSRs are properly trained to advise customers of their right to file an informal complaint as required per Commission Rule 20 CSR 4240-13.045(9), and ensuring that CSRs are implementing this training under the correct circumstances.
- Staff recommends that the Commission order Empire to put a process in place to ensure that each CSR is trained to note account activities comprehensively. Empire should also develop a quality assurance process to verify that CSRs are adhering to account notation guidelines.

DISCONNECTION NOTICES

Q. On page 57 of his direct testimony, Dr. Marke states: "My understanding is that Liberty elected to send disconnection notices so that vulnerable customers could be eligible for supplemental utility assistance from the State—which requires a shut-off notice." Is that your understanding of the current situation?

A. Yes. According to the *Report Regarding Customer First Implementation* filed in Case No. EE-2024-0232, "[Empire] began sending collections notices in June so customers who receive energy assistance benefits would be able to use collection notices in their

1 applications for benefits, but otherwise Liberty has not resumed field shut off activity.”⁴¹
2 These notices are required to be sent to residential customers prior to a discontinuance of
3 electric service per Commission rule 20 CSR 4240-13.050(5),⁴² and for many utility customers
4 serve as the first notification that they have a past due balance on their account. To Staff’s
5 knowledge, Empire currently sends disconnections notices, but has not resumed disconnections.
6 The Service Disconnection Report data provided by Empire pursuant to Commission Rule
7 20 CSR 4240-13.075(2)(D)⁴³ indicates Empire has not disconnected a customer for
8 non-payment since March 2024.

9 Q. Dr. Marke goes on to say, “However, it is also clear that this has created far
10 too much angst and stress for customers on fixed incomes.” Do you agree with that statement
11 as well?

12 A. Yes. In fact, I would go further and note that the effect has not been confined to
13 customers on fixed incomes. This has been caused both by messaging issues on Empire’s part
14 as well as process errors resulting in disconnection notices being sent out erroneously.

15 As Dr. Marke implies in his testimony,⁴⁴ the Empire customer base at large has not been
16 informed disconnections are not currently occurring. Staff inquired whether Empire
17 considered a separate insert with the disconnection notices informing customers of the intent
18 behind the notice and that disconnections had not yet resumed, to which Empire responded that
19 such a consideration had not occurred.⁴⁵ While there is a logical rationale for not proactively

⁴¹ EE-2024-0232, *Report Regarding Customer First Implementation*, paragraph 20.

⁴² Discontinuance of Service.

⁴³ Service Disconnection Reporting Requirements for Electric, Gas, Sewer, and Water Utilities.

⁴⁴ Geoff Marke Direct testimony (Revenue Requirement), page 57, lines 7-8.

⁴⁵ Empire response to Staff DR No. 0198.

1 informing customers that disconnections are not occurring,⁴⁶ Staff's observation has been the
2 messaging on this issue does not suggest a coordinated strategy.

3 As noted above, CSR messaging has been inconsistent for a variety of issues, and
4 disconnections are no exception. Staff has reviewed dozens of phone calls from post-April 2024
5 where customers called in after receiving disconnection notices. In many cases, the CSRs
6 did not inform the customer they would not be disconnected, even in instances where the
7 customer stated an inability to pay and was clearly distressed about the impending
8 disconnection. Other CSRs did inform customers of the disconnection moratorium, even if
9 the customer did not sound particularly concerned about disconnection and simply wanted a
10 few days' extension for payment.

11 Representatives of Empire and the other Liberty affiliates have also publicly stated
12 during town halls and local public hearings that disconnections are not currently occurring.
13 Staff does not know why a similar message is not consistently given to customers who have
14 received disconnection notices through the call center.

15 Q. You mentioned disconnection notices had been sent out erroneously.
16 Can you elaborate?

17 A. Yes. During late summer 2024, the Commission's Consumer Services
18 Department began receiving phone calls from Empire customers stating they were receiving
19 disconnection notices even though they had not received a bill in one or more months.
20 Staff informed Empire of these reports, and Empire later confirmed this had occurred with the
21 explanation "While reversing and re invoicing accounts, the document date being entered was

⁴⁶ The knowledge that there is no consequence for not paying for their usage could encourage some customers who can afford to pay for what they use to not do so. Thus, the utility does not receive timely compensation for provided service, and those customers build up an arrearage over time.

1 in the past, which caused the invoices to be past due immediately. This created disconnect
2 notices being sent to customers prior to receiving the bill.”⁴⁷ Empire further explained this was
3 a training issue, and the people working on the task were instructed on the correct methodology.
4 The number of impacted customers is unknown, as there was no way to properly track it.
5 After discovering the error, Empire did not take any customer-facing actions to alleviate
6 customer confusion as a result of the incident.⁴⁸

7 Q. Is Staff confident customers are no longer receiving disconnection notices
8 before receiving a bill?

9 A. No. The corrective measures described by Empire would not prevent an
10 employee from entering the wrong date again and producing the same result, without Empire’s
11 awareness. Furthermore, Staff has continued to hear feedback from customers in 2025 that
12 disconnection notices are arriving before bills.

13 **SELF-SERVE OPTIONS**

14 Q. On page 17, lines 5-9, of Timothy N. Wilson’s direct testimony, he states:
15 “We want to continuously offer modern technologies and software platforms—like AMI and
16 Customer First—so that our customers, today and in the future, have access to the best available
17 information about their electricity usage, and so that our customers are able to understand and
18 make timely payments on their electric bills in a convenient manner.” Does Staff believe
19 Empire customers today have seen improvements in their ability to access information about
20 their electricity usage, understand their bills, and make timely payments on their bills in a
21 convenient manner?

⁴⁷ Empire response to Staff DR No. 0199. This appears to be another manual process, a topic I address in my direct testimony.

⁴⁸ Empire response to Staff DR No. 0199.1.

1 A. No, Staff does not believe the customer experience currently reflects this
2 description. In addition to the billing issues described in my direct testimony related to
3 Customer First and Advanced Metering Infrastructure (“AMI”) meters that belie this claim,
4 Empire customers have also been affected by other customer service issues related to electricity
5 usage information, bill payments, and other self-serve options.

6 **My Account Usage During Outage**

7 Q. What is My Account?

8 A. My Account is Empire’s online self-serve portal for its customers, which allows
9 customers to make payments, initiate service requests, receive outage and billing alerts, and
10 view their electricity usage if they have an AMI meter.⁴⁹

11 Q. Is Staff aware of any customer-sourced concerns regarding the information
12 Empire provides about electricity usage?

13 A. Yes. During the last week of April, storms caused a major outage event that
14 affected over 23,000 Empire customers. Following that event, Staff became aware of customer
15 allegations that My Account was showing those customers used electricity during time periods
16 the customer was without service.⁵⁰ Those customers expressed concerns Empire was
17 artificially inflating their bills because this usage could not have occurred.

18 Q. How did Empire respond to these claims?

19 A. Empire verified that My Account did show usage for customers who had a power
20 outage. However, this was because the system was unable to tell whether the absence of interval

⁴⁹ Direct testimony of Candice Kelly, page 3, lines 15-23.

⁵⁰ For example, P202503391- “We lost power on 4/29 @ 930am and it wasn't restored until 5/1 @ 330pm. Liberty shows usage for almost the entire time we were without power. Enclosed daily and hour kw/hrs usage per my account on Liberty website.”

1 reads received from the AMI meters was the result of an outage or because some other issue
2 prevented transmission.⁵¹ The system is designed to automatically estimate interval read data
3 when it does not receive communication from the meter connected to the account, and it did so
4 during the outages. Those estimated readings were then sent to the Web Presentment system
5 (“SEW”) which displays AMI readings for customers on My Account. Although the AMI
6 system network updated to reflect the outage when it came back online, the process for
7 exporting data to SEW is not designed to automatically look back to retrieve past actual reads.
8 Thus, My Account continued to reflect the estimated usage. According to Empire, the estimated
9 readings were not billed to customers because SEW is a separate system from the billing system,
10 which used the data that was updated post-outage.⁵²

11 To resolve the immediate issue, Empire interrogated the affected meters to gather actual
12 usage during the outage periods and updated the usage displayed on My Account to reflect
13 actual data. Empire intends to continue this practice for outages going forward, and never
14 present estimated interval reads to customers on My Account. At the moment, it is a manual
15 process, but Empire states it will automate the process in the first quarter of 2026.⁵³

16 Q. Is this a new issue brought about by the Customer First conversion?

17 A. No. According to Empire, a similar issue would have occurred prior to
18 Customer First.⁵⁴ The difference, if any, is that Empire customers are likely scrutinizing
19 information about their usage and their billing more closely than before because of the ongoing
20 billing issues.

⁵¹ The widespread nature of the outage prevented the meters from sending power outage notifications to the system.

⁵² OO-2025-0233, Empire response to OPC DR Nos. 0060, 0061 and 0113, and a May 22, 2025 meeting between Staff, OPC, and the Liberty utilities.

⁵³ OO-2025-0233, Empire response to OPC DR No. 0120.

⁵⁴ Empire response to Staff DR No. 0442.

Bill Payments

Q. Is Staff aware of any issues Empire customers are having with conveniently paying their bills?

A. Yes. Staff has heard feedback from Empire customers over the past year related to customers not being able to pay through the Interactive Voice Response (“IVR”) system and online. In particular, customers report difficulties with the system recognizing account numbers⁵⁵ and the phone numbers tied to accounts. Third-party payment vendors have also had difficulty recognizing the account number.⁵⁶ Staff is not aware of the cause of these issues but, based on its review of April 2025 phone calls, feedback received during the OO-2025-0233 town halls, and customer feedback it has reviewed from Empire’s surveys,⁵⁷ it believes at least some of these issues are ongoing.⁵⁸ For example:

I tried to sign up for the online portal but it said my account cannot be validated.
July 8, 2025

I wanted to pay my electric bill and told her the automated system was not working for me. It was automatically sending me to the wrong account. She put me on hold because she was checking on it. Then without coming back to me she automatically sent me to the automated system which again did not work for my account. July 3, 2025

Finally was made aware of our new account number
Have never been able to login before
This call took 1.5 hours ridiculous -
Frustrating
Customer service rep should never complain about “ my attitude”- lack of willingness to listen - be helpful and overall empathy - poor standards .
June 24, 2025

I made several attempts recently to pay my most current bill. The verification code I was given did not allow me to pay via internet server. The phone application did not work, as I was given an unremembered error message.

⁵⁵ As part of the Customer First transition, all customers were given new account numbers.

⁵⁶ Empire response to Staff DR No. 0203.

⁵⁷ Empire response to Staff DR Nos. 0201.2 and 0203.2.

⁵⁸ OO-2025-0233, Empire response to Staff DR No. 0057.

Rebuttal Testimony of
Charles Tyrone Thomason

1 The automated phone system stated I was locked out for too many attempts.
2 Had I received this message from my bank, I could understand but it was to
3 PAY MY BILL. I call customer service and they transferred me to the
4 appropriate person to pay my bill, yet they could not inform me of the balance
5 amount! I decided to simply pay \$100, hoping I had not been charged late fees
6 due to the unaccessibility of your company. The entire process was totally
7 absurd. June 20, 2025

8
9 I have called no less than 5 times to try to get a billing address changed and
10 each time assured numerous times it's good to go. Then a month goes by. No
11 bill. Then I'm faced with a late fee because I didn't get a bill. I try to log on
12 online and pay it. Nope! That doesn't work either. The system keeps throwing
13 error codes even though it's all filled out completely. Liberty billing is the
14 absolute worse EVER!!! June 17, 2025

15
16 When trying to access my account online, the system doesn't recognize my
17 email, nor my account number. This has been a long standing issue. I have
18 talked to customer service about it and the problem still remains. June 3, 2025

19
20 My account # Trying the number 5 times and calling once, I was told no number
21 for my account existed. Sad just wanted to pay my Electric bill, finally the next
22 day the account number worked
23 Update your customer numbers daily...Oh wait I have had this account number
24 for over a year. May 30, 2025

25
26 Improve the system so it will recognize the customers phone numbers when
27 calling in to report outages and paying their bill. May 6, 2025⁵⁹

28 Staff has also heard concerns from customers regarding missing payments. Across all
29 Liberty utilities operating in Missouri, there has been a significant increase in the number of
30 missing payment inquiries. In 2023, there were 259 inquiries. In 2024, there were 1051
31 inquiries. From January-April 2025, there were 601 inquiries.⁶⁰

32 Q. Is Staff aware of why there has been an increase in missing payment inquiries?

33 A. According to Empire, the increase can be attributed to the change in customer
34 account numbers, payments sent to the wrong address,⁶¹ payments lost in the mail, and

⁵⁹ Empire response to Staff DR No. 0201.1.

⁶⁰ OO-2025-0233, Empire response to Staff DR No. 0066.

⁶¹ The mailing address for payments also changed as part of the Customer First transition.

1 Liberty's lockbox processor experiencing scanning issues.⁶² Staff was also recently informed
2 by Empire⁶³ that payments made at Wal-Marts were not being displayed in the payment
3 history section of My Account. The payments were correctly applied to the balance owed, but
4 were not showing in the list of payments made. As noted on page 6, lines 1-4, of Candice
5 Kelly's direct testimony, one of the changes brought about by Customer First was the addition
6 of Wal-Marts as third-party payment locations for customers. As such, this issue has likely been
7 active since April 2024 and may have contributed to the number of inquiries. According to
8 Empire, this has now been resolved and the payments are properly displayed on My Account.

9 **Autopay**

10 Q. Other than those related to the Preferred Draft Date issue,⁶⁴ has Staff identified
11 any additional concerns affecting Autopay customers?

12 A. Yes. Starting in February 2025, Empire began locking the accounts of customers
13 on Autopay who are affected by delayed billing. The lock is intended to prevent the account
14 from auto-drafting the full balance owed from the customer's bank account without his or her
15 knowledge. Customers who have their accounts locked for this reason are sent a bill-up letter
16 apologizing for the billing delay, offering at least two times the length of the delay to pay the
17 balance, and informing them that their automatic payments have been stopped. Customers are
18 instructed to contact Empire's call center in order to reinstate Autopay. Until the customer does
19 so, the balance will not be drafted and the balance will remain unless the customer makes a
20 payment manually.⁶⁵

⁶² OO-2025-0233, Empire response to Staff DR No. 0066.1.

⁶³ In a July 15, 2025, email in which Liberty Water responded to Staff's request that it investigate a customer's public comment allegations.

⁶⁴ Discussed on pages 29-32 of my direct testimony.

⁶⁵ OO-2025-0233, Empire response to Staff DR No. 0067.

1 Q. Does Staff have concerns with this approach?

2 A. Yes. First, Staff is of the opinion that unilaterally removing customers from
3 Autopay constitutes poor customer service. However, under the circumstances, and with the
4 alternative possibility of Empire drafting an unexpectedly large balance from unaware
5 customers, Staff agrees this is the better approach.

6 That being said, Staff does not believe a bill-up letter alone is sufficient communication.
7 The rationale behind locking the accounts is the belief that Autopay customers may not review
8 the bill to be aware of the impending draft amount, meaning they are not reviewing mailed
9 communications from Empire. It seems an unreliable approach to instead rely on the customer
10 reviewing a bill-up letter so he or she will contact Empire to unlock the account. If the customer
11 does not review the bill-up letter, then the balance will remain unpaid, and possibly accrue
12 further, until he or she reacts to a disconnection notice, if not later. Staff's opinion is that
13 customers who have their accounts locked because of delayed billing should also receive a
14 phone call notifying them of the situation.

15 Staff's inquiries into this issue are ongoing, and Staff may expand upon its analysis and
16 conclusions in the Case No. OO-2025-0233 Investigatory Docket.

17 **My Account**

18 Q. Have customers expressed concerns about My Account separate from bill
19 payments?

20 A. Yes. One of the recurring complaints Staff has heard from Empire customers is
21 that what is on the bill often does not match with what is displayed as the owed balance when
22 viewed online.

23 Q. Has Staff been able to confirm this is the case or whether there is a problem?

1 A. No. Without real-time visibility into My Account and customers' bills to
2 compare the two, Staff has not been able to confirm customers' reports. However, below are
3 some of the recent public comments filed in EFIS concerning this issue:

4 **P202503520** - The billing issues caused by Liberty have been a headache over the
5 past 6 months, as my account has just now got resolved since December. I have
6 had to call in every month to find out how much we owed each month and had to
7 speak with a manager to get late fees removed that were getting added to bills
8 before they even came out. Our physical invoices never matched the amount due
9 online so it has been a constant chase to figure out our bill each month. That being
10 said, the customer service on the phone has been very good and they were trying
11 their hardest to get everything resolved. Shout out to manager, Jaime Huff, for
12 stepping in and helping. It was clear she had so much to do and Liberty did nothing
13 to help. Very disappointed in the Liberty. June 18, 2025.

14
15 **P202503573** - Marilyn attended one of the town hall meetings regarding this case.
16 She wanted to voice her opinion regarding Liberty and the issues she has had.
17 Recently she has not had many issues but since Liberty has implemented this new
18 CIS system, she has had several problems. She had a period of not receiving bills,
19 getting multiple bills at once, Liberty's online account information not being
20 accurate or helpful, local office personnel not being helpful, Liberty personnel
21 blaming new system versus trying to help/resolve problems. June 24, 2025.

22
23 **P202503462** - My electric bill has been almost double since Liberty updated their
24 billing system and how they bill. I have been lowering my usage and my bills are
25 still outrageous. I've also been getting two bills a month, both with different
26 information and when going online (which is always a hassle with their website),
27 the online amount is different from both of the bills. Liberty says they are about
28 conservation, but they are wasting so much paper sending two bills a month.
29 Liberty has also claimed they are making the infrastructure better, but I have
30 experienced more power outages in the past year with them than all the years the
31 company was Empire, combined. Customer service agents are incompetent and
32 don't ever know what's going on. June 13, 2025.

33
34 **P202503155** - Liberty has been good at maintaining and restoring power.
35 Issues: 2021: We were away from home for two months. Upon reevaluation our
36 bill went up \$50 a month, even though we had a credit balance. They said it was
37 due to a rate increase, the company made four hundred million the previous year.
38 Why did they need an increase? 2024: The new billing system is a nightmare!!!
39 The amount due, balance due, budgeted billing, none of it makes sense. The paper
40 bills and online info don't match each other. The amount due is never the balanced
41 budget amount. When I paid extra it was applied towards the next month instead
42 of the total balance; no way to choose where to apply it. Was unable to submit a
43 comment on the website because of its coding issues. June 3, 2025.

1
2 **P202502940** - We have a few rental properties, some of which we pay utilities
3 on. Since April of 2024 billing has been a mess. Several bills weren't sent and
4 then several were sent out at once. On the online portal, the selection for the
5 account does not match property addresses and amounts due on bills don't
6 match what is shown online. We are unable to pay with a credit card...the site says
7 an "accounttype" must be selected but there is no selection or field for that so we
8 have to call and get bounced around before making multiple \$600 payments. I've
9 attached an example of billing that does not make sense...note that neither of these
10 addresses are associated with 400 W Maple, Columbus. It is always a mess.
11 Happy to provide more detail. May 27, 2025.

12
13 **P202502094** - Just received this months email regarding bill due. Email states I
14 owe \$216, Logging into Liberty's billing website shows I have a credit of \$-14.13
15 Downloading a PDF of the bill shows a credit of -12.31 Looking at billing history
16 shows last months bill Statement Date is 10 days AFTER the Due date! None of
17 the last 3 months billed vs payments history even add up! Called Customer
18 service, again, after several minutes of being on hold. I was told their is yet again
19 another billing issue this month and I should receive a updated/new bill within the
20 next week. To watch for a new email/bill and if I don't receive anything within a
21 week to call back. All documents attached. March 31, 2025.

22 Empire has stated balances displayed online should reflect whatever the customer owes at
23 the moment, as the display is pulled from real-time data from the CIS and accounts for
24 recent payments. Empire also states it is not aware of any instances where this should not be
25 the case, or errors that would produce different results. But Empire has also not conducted
26 any investigations or audits to verify the accuracy of My Account balance displays since
27 October 2023.⁶⁶ It may be that rebilling is changing the amounts owed from the time the
28 customer receives a bill to when he or she looks online, causing customer confusion. However,
29 the number of customer complaints at local public hearings, town halls, and public comments
30 leads Staff to conclude this is an issue Empire should look into, and recommends Empire do so.

⁶⁶ OO-2025-0233, Empire response to Staff DR No. 0068.

1 **ONSOLVE**

2 Q. On pages 10-11 of Colin Penny's direct testimony, he discusses the Onsolve text
3 message system, which he describes as a service that will notify customer about emergencies
4 or other important events about their electric service. He also states Empire's deployment of
5 this system occurred "in conjunction with the Customer First go-live, in April 2024."⁶⁷
6 Is Onsolve currently benefiting customers as indicated?

7 A. No. According to Empire, the system was implemented on April 8, 2024, and
8 would be used to "augment" the existing SEW My Account communications to send notices
9 of both planned and unplanned outages.⁶⁸ But as of January 28, 2025, only 17.4%⁶⁹ of
10 Missouri Empire customers had a confirmed mobile phone number on file with Empire,
11 meaning the vast majority are unable to receive Onsolve text messages. Furthermore, as of
12 July 2025, Onsolve had not been used for any Missouri electric customers.⁷⁰ This is despite
13 the fact multiple storm-related outages have occurred in Empire's service territory since
14 April 2024, and despite the fact one of the intended uses for Onsolve is to notify customers of
15 planned and unplanned outages.⁷¹

16 Q. Why was Onsolve not used to notify customers of outages?

17 A. According to Empire, it is currently working to resolve an issue related to
18 customer contact records that is affecting the integration of Onsolve with SAP.⁷² As Staff only
19 became aware of this issue recently, it is still investigating the specifics. However, Staff's
20 current high-level understanding is that Onsolve is unable to target the specific customers

⁶⁷ Direct testimony of Colin Penny, page 10, lines 7-11.

⁶⁸ Empire response to Staff DR No. 0176.

⁶⁹ 29,516 customers.

⁷⁰ OO-2025-0233, Empire response to Staff DR No. 0120.

⁷¹ Empire response to Staff DR No. 0175.

⁷² OO-2025-0233, Empire response to Staff DR Nos. 0115 and 0120.

1 affected by service events for messages. This appears to have rendered Onsolve effectively
2 useless since the April 8, 2024 implementation.

3 Q. Are Empire customer currently receiving outage notifications?

4 A. Yes, customers continue to be notified of unplanned outages through
5 SEW My Account.⁷³

6 Q. What is the difference between SEW My Account and Onsolve outage
7 notifications?

8 A. Staff's understanding is SEW My Account requires customers to have signed up
9 for My Account. Those customers may then receive texts and/or emails about service outages.
10 Onsolve can be sent to customers regardless of whether the customer has a My Account as long
11 as the customer has a mobile phone number on file with Empire.

12 Q. Does Staff have any recommendations?

13 A. Yes. Staff finds that as of the March 31, 2025, true-up date ordered by
14 the Commission, Onsolve is not a used and useful program so should not be included in
15 Empire rates. Staff intends to remove the costs related to Onsolve in its true-up direct
16 revenue requirement. This adjustment is discussed in the rebuttal testimony of Staff witness
17 Matthew R. Young.

18 **THIRD CONSECUTIVE ESTIMATE LETTER**

19 Q. On page 69, lines 15-17, of your direct testimony, you indicate Staff received a
20 DR response from Empire which suggested it was not sending letters to customers who received

⁷³ Empire response to Staff DR No. 0176.

1 a third consecutive estimated bill, pursuant to 20 CSR 40240-13.020(3),⁷⁴ prior to August 2024.

2 Has Staff sought further clarification on this issue?

3 A. Yes. Staff asked Empire for further clarification in Staff DR No. 0046.3 in the
4 Case No. OO-2025-0233 docket. Empire explained that, when the Customer First transition
5 occurred, Empire believed that the third consecutive estimate letter had converted into an
6 automatic Kubra generated letter. As this was not the case, the letters were not sent out to
7 customers from April 8, 2024 to August 2024. In August, affected customers were retroactively
8 sent the letters.

9 Q. Does Staff believe there was a rule and tariff violation?

10 A. Yes. From April to July 2024, 156 Empire customers had their bills estimated a
11 third consecutive time.⁷⁵ Pursuant to Commission rule 20 CSR 40240-13.020(3) and Empire's
12 tariff,⁷⁶ they should have been promptly notified by first class mail that their bills were
13 estimated, that estimation may not reflect actual usage, and of the option and means by which
14 the customer may read and report their usage to Empire on a regular basis.

15 **TARIFF CHANGES**

16 Q. Has Staff reviewed the tariff changes proposed by Empire in this case?

17 A. Yes.

18 Q. Does Staff have additional tariff changes to propose?

19 A. Yes. In reviewing Empire's current tariff, Staff found several instances where
20 the tariff language differs substantively from language found in 20 CSR 4240-13. Staff proposes

⁷⁴ Billing and Payment Standards.

⁷⁵ Empire response to Staff DR No. 0188.

⁷⁶ P.S.C Mo. No. 6, Sec. 5, Original Sheet No. 25.

the language be corrected in this rate case. The four issues Staff found, along with the corresponding Commission rules, are below:

1) P.S.C. Mo. No. 6 Sec. 5 Original Sheet No. 24 states:

a. Company may render a bill based on estimated usage:

2. When Company is unable to obtain access to the Customer's premises for the purpose of reading the meter or when the Customer makes reading the meter unnecessarily difficult. If Company is unable to obtain an actual meter reading for these reasons, where practicable it shall undertake reasonable alternatives to obtain a Customer reading of the meter, such as mailing or leaving postpaid, pre addressed postcards upon which the Customer may note the reading unless the Customer requests otherwise;

Commission Rule 20 CSR 4240-13.020(2)(A)3 states:

When the utility is unable to obtain a meter reading for reasons beyond the utility's reasonable control, including an inability to access the customer's premises as necessary. If the utility is unable to obtain an actual correct meter reading for these reasons, where necessary it shall undertake reasonable alternatives to obtain a customer reading of the meter, for example mailing or leaving postpaid, preaddressed postcards upon which the customer may note the reading unless the customer requests otherwise;

Empire's tariff allows it to estimate a bill "when the Customer makes reading the meter unnecessarily difficult," which is a circumstance not included in Commission rules. Staff's concern, along with the absence of this provision in Commission rules, is that the phrase "unnecessarily difficult" is vague and subject to interpretation.

2) P.S.C. Mo. No. 6 Sec. 5 Original Sheet No. 30 states:

A guarantor for a residential Customer shall be released upon satisfactory payment of all undisputed utility charges during the last twelve (12) billing months. Payment of a charge is satisfactory if received prior to the date upon which the charge becomes delinquent provided it is not in dispute. Payment of a disputed bill shall be satisfactory if made within ten (10) days of resolution or withdrawal of the dispute. Company may withhold the release of the guarantor pending the resolution of a matter in dispute involving discontinuance for

nonpayment or tampering, diversion or unauthorized use or interference
by the Customer.

Commission Rule 20 CSR 4240-13.030(6)⁷⁷ states:

A guarantor shall be released upon satisfactory payment of all undisputed utility charges during the last twelve (12) billing months. Payment of a charge is satisfactory if received prior to the date upon which the charge becomes delinquent, provided it is not in dispute. Payment of a disputed bill shall be satisfactory if made within ten (10) days of resolution or withdrawal of the dispute.

The Commission rule requires that the utility release a guarantor without exception upon satisfactory payment of all undisputed utility charges during the last twelve billing months. Empire's tariff allows it exceptions to this requirement and is thus in conflict with Commission rules.

3) P.S.C. Mo. No. 6 Sec. 5 Original Sheet No. 25 states:

When Company underestimates a Customer's usage, the Customer shall be given the opportunity, if requested, to make payment in installments.

Commission Rule 20 CSR 4240-13.025(1)(C)⁷⁸ states:

C) In the event of an undercharge, the utility shall offer the customer the option to pay the adjusted bill over a period at least double the period covered by the adjusted bill;

In all cases of an undercharge, the Commission rule requires that the utility proactively offer the customer the option to pay an adjusted bill over a period of at least twice the duration of the undercharge. Empire's tariff, in cases where the undercharge was the result of an underestimation, states that it must offer the opportunity to pay in unspecified installments, but only if the customer requests it. This is in conflict with Commission rules.

⁷⁷ Deposits and Guarantees of Payment.

⁷⁸ Billing Adjustments.

4) P.S.C. Mo. No. 6 Sec. 5 Original Sheet No. 25 states:

When Company renders an estimated bill in accordance with these rules, it shall: (1) Maintain accurate records of the reasons therefor and the effort made to secure an actual reading; and (2) Clearly and conspicuously note on the bill that it is based on estimated usage; and (3) Use Customer supplied readings, whenever possible, to determine usage

Commission Rule 20 CSR 4240-13.020(2)(C)6 states:

(C) When a utility renders a bill based on estimated usage, it shall comply with the following:

6. Use customer-supplied readings, whenever viable (i.e., in line with prior usage or seasonal usage), to determine usage;

Empire's tariff states that it must use customer-supplied readings, whenever possible, to determine usage. The Commission rule uses the term "viable" instead of "possible," and spells out the intended meaning behind use of the word. That meaning is lost in Empire's tariff, allowing for interpretations of the word "possible" that do not reflect the Commission rule.

CONCLUSION

Q. Please summarize your recommendations in this testimony.

A. My recommendations are as follows:

- Staff recommends Empire review its processes for the storage, retrieval, and presentation of customer account information to eliminate instances where CSRs are unaware of events that occur (or are scheduled to occur) on customer accounts and instances where CSRs are unfamiliar with what customers have been told by Empire in prior communications. This would include incorporating service tickets into customer account notes.
- Staff recommends Empire emphasize consistent messaging to customers experiencing common billing issues (e.g., delayed/missing bills), keeping in mind the customer's best interests, and train CSRs to use that messaging. This should apply for ongoing issues and be revised for any new issues that develop

1 in the future. Account notes should detail what the CSR told the customer in
2 response to an inquiry for future reference.

- 3 • Staff recommends the Commission order Liberty to put a process in place
4 ensuring that CSRs are properly trained to advise customers of their right to file
5 an informal complaint as required per Commission Rule 20 CSR 4240-
6 13.045(9), and ensuring that CSRs are implementing this training under the
7 correct circumstances.
- 8 • Staff recommends the Commission order Liberty to put a process in place to
9 ensure that each CSR is trained to note account activities comprehensively.
10 Empire should also develop a quality assurance process to verify that CSRs are
11 adhering to account notation guidelines.
- 12 • Staff recommends Empire establish a process for customer callbacks that
13 effectively records the need for a callback, tracks the status of that callback, and
14 verifies the execution of the callback within a reasonable period of time
15 following the request. Staff recommends that Autopay customers who have
16 their accounts locked because of delayed billing should also receive a phone
17 call from Empire notifying them of the situation and the need to speak with
18 Empire's call center to remove the lock.
- 19 • Staff recommends Empire investigate customer claims that My Account is not
20 accurately displaying balances owed.
- 21 • Staff recommends Empire make the tariff revisions detailed in this testimony to
22 accurately reflect language found in 20 CSR 4240-13.

23 Q. Does this conclude your rebuttal testimony?

24 A. Yes, it does.

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Request of The Empire)	
District Electric Company d/b/a Liberty for)	Case No. ER-2024-0261
Authority to File Tariffs Increasing Rates)	
for Electric Service Provided to Customers)	
in Its Missouri Service Area)	

AFFIDAVIT OF CHARLES TYRONE THOMASON

STATE OF MISSOURI)	
)	ss.
COUNTY OF COLE)	

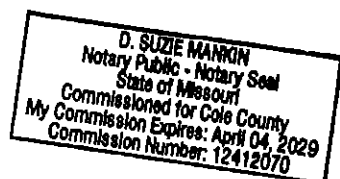
COMES NOW CHARLES TYRONE THOMASON and on his oath declares that he is of sound mind and lawful age; that he contributed to the foregoing *Rebuttal Testimony of Charles Tyrone Thomason*; and that the same is true and correct according to his best knowledge and belief.

Further the Affiant sayeth not.


CHARLES TYRONE THOMASON

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 13th day of August 2025.




Notary Public