

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

Ralph E. Pridgen, Jr.,)	
)	
Complainant,)	
)	
vs.)	Case No. EC-2008-0021
)	
The Empire District Electric Company,)	
)	
Respondent.)	

EMPIRE’S ANSWER TO COMPLAINT

COMES NOW The Empire District Electric Company (“Empire”), by and through its undersigned counsel, and for its Answer to the Complaint filed herein by Ralph E. Pridgen Jr. (“Complainant”) and pursuant to the Notice of Complaint issued on July 18, 2007, by the Missouri Public Service Commission (the “Commission”), respectfully states to the Commission as follows:

1. Empire admits that a new digital meter was installed at 1351 East U.S. Highway 160 on or about July 11, 2006; Empire admits that it tested the meter at that location in April of 2007 in response to contact from the Complainant; Empire admits that it sent a bill summary to the Commission regarding the Complainant’s usage; and Empire admits that it re-read the meter at Complainant’s residence in response to contact from the Complainant. Empire denies the remaining allegations contained in the Complaint.

2. Empire denies all allegations contained in the Complaint not specifically admitted herein.

3. Further answering, Empire states that it has attempted to work with the Complainant in resolving the dispute. Empire tested the subject meter, and the test demonstrated that the meter was working properly. In fact, an employee of Empire removed and reset the meter numerous times in front of the Complainant. Upon information and belief, Empire asserts

that there is no evidence that the meter malfunctioned during the time period in question. The Complainant, however, stated to the Empire employee who tested the meter that the Complainant used his ceiling strip heat more than normal during the time period in question instead of his normal practice of heating with wood.

4. Further answering, Empire states that Complainant has not met his burden and has failed to state a claim against Empire upon which relief can be granted by this Commission.

WHEREFORE, having fully answered, Empire requests that Ralph Pridgen's Complaint be dismissed with prejudice, that Complainant take nothing thereby, and that the Commission award Empire its costs herein expended and grant such other and further relief as the Commission deems just and proper under the circumstances.

Respectfully submitted,

/s/ Diana C. Carter

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent to the Complainant by U.S. mail, postage prepaid, on this 14th day of August, 2007. The undersigned further certifies that a true and correct copy of the foregoing document was sent on this date by electronic transmission to the General Counsel's Office and to the Office of the Public Counsel.

/s/ Diana C. Carter