

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

Hall Holdings, LLC)	
)	
Complainant,)	
)	
v.)	Case No. EC-2006-0436
)	
Empire District Electric Company)	
)	
Respondent.)	
)	

**REQUEST FOR ORDER RESTORING ELECTRIC SERVICE ON AN INTERIM BASIS
PENDING RESOLUTION OF FORMAL COMPLAINT**

COMES NOW Complainant Hall Holdings, LLC (“Hall Holdings”), pursuant to Section 386.250 RSMo. 2000, and submits its Request for Order Restoring Electric Service on an Interim Basis Pending Resolution of Formal Complaint, stating as follows:

1. Hall Holdings filed this Complaint against Empire District Electric Company (“Empire”) as a result of Empire’s insistence that Hall Holdings pay an outstanding debt incurred by another entity at the Branson Inn as a condition of electric service to the MGH Performing Arts Center f/k/a the Glen Campbell Theater (“Performing Arts Center”), which is located at 464 North State Highway 248 in Branson, Missouri. Hall Holdings contends that neither it nor any predecessor in interest was an electric

customer of Empire at the Branson Inn location during the time period that the debt in question was incurred and that no “substantial benefit” was received by Hall Holdings during that time period. Empire apparently disputes this contention and it may be necessary for the Public Service Commission (“Commission”) to resolve this factual dispute after an evidentiary hearing.

2. Hall Holdings appreciates the Commission’s willingness to hear this matter on an expedited basis; however, the Commission’s docket is currently busy and it appears that it may be at least two months before this matter may be heard.

During the next few months, the Performing Arts Center is not likely to be used for performances, but it will need to be protected by burglar alarms and fire alarms that require electric service in order to function correctly. It is also important for at least a minimal level of air conditioning and environmental controls to be active in order to protect this building from humidity and moisture during these months.

The Performing Arts Center (f/k/a the Glen Campbell Theater) is an extremely valuable property with considerable historic value to the Branson community and to the state of Missouri. Significant harm and liability could be incurred if this property were damaged as a result of inoperative alarms. It is in the public interest that this property be protected from fire, theft, or vandalism while the dispute in question is resolved. This is a matter of public safety and time is of the essence.

3. Empire would suffer no negative effect or hardship as a result of the Commission requiring Empire to restore service to the Performing Arts Center on an

interim basis, pending the outcome of this case. The only interest that Empire has in opposing this request is the leverage that its denial of service serves to place upon Hall Holdings to pay a debt that Hall Holdings strongly believes is not its responsibility.¹

4. This dispute is now in the hands of the Commission. Hall Holdings will honor the Commission's complaint procedure and will pay whatever debt is ultimately found to be its responsibility. If the Commission issues a final order, after a presentation of all of the relevant evidence, finding that Hall Holdings is indeed responsible for the electric service debt in question, then Hall Holdings will honor that decision. Unlike Mr. Weaver, Hall Holdings has good credit. There should be no doubt that Hall Holdings will timely pay for all electric service supplied to it at the Performing Arts Center.

Furthermore, if service is ordered to be restored during the period that this case is pending, Hall Holdings will concede its position on the deposit that is now being requested by Empire to guarantee and secure future payments for electric service to the Performing Arts Center. A deposit of this amount should leave no doubt as to the lack of harm that could result from granting Hall Holdings' interim request.

WHEREFORE, Hall Holdings respectfully requests that the Commission issue its order 1) finding that restoration electrical service to the Performing Arts Center promotes public safety and the public interest generally, 2) requiring Empire to restore electrical service to the Performing Arts Center as soon as possible, upon Hall Holdings'

¹ It is unclear what actions Empire has taken to collect the debt in question from the entities that owned and operated the Branson Inn since June of 2000—entities associated with the convicted felon, Dennis Ray Weaver.

submittal of a \$24,025 deposit to guarantee future payments for electrical service to the Performing Arts Center, 3) further clarifying that such restoration of service is to be ordered only on an interim basis, pending the final outcome of this case, and 4) ordering any other relief that the Commission deems just and reasonable.

Respectfully submitted,

/s/ John B. Coffman

John B. Coffman MBE #36591
871 Tuxedo Blvd.
St. Louis, MO 63119-2044
Ph: (573) 424-6779
john@johncoffman.net

Attorney for Hall Holdings, LLC

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 25th day of May 2006:

KEVIN THOMPSON

General Counsel's Office
Missouri Public Service Commission
P O Box 360
Jefferson City MO 65102

LEWIS MILLS

Office of the Public Counsel
P.O. Box 2230
Jefferson City, MO 65102

Robert Gross

Spencer Scott & Dwyer
P.O. Box 278
Joplin, MO 64802
rgross@ssdlawyers.com

Dean Cooper

312 E. Capitol Ave.
P.O. Box 456
Jefferson City, MO 65102
dcooper@brydonlaw.com

/s/ _____ *John B. Coffman* _____
John B. Coffman