

Notice of *Ex Parte* Contact

TO: All Commissioners
All Parties to Case No. EC-2008-0384

FROM: Harold Stearley
Senior Regulatory Law Judge

DATE: October 2, 2008



On Monday, September 29, 2008, I received an e-mail from Derl Warren in Consumer Services forwarding to me an electronic response sent to him from Mr. Brown, the Complainant in this matter. Consequently, I contacted Mr. Brown by phone to explain proper filing procedure, and further contacted him by electronic mail to arrange the scheduled prehearing conference for October 14, 2008. I have explained to Mr. Brown that as the assigned Regulatory Law Judge, I cannot discuss with him any substantive issues in this matter.

To assist Mr. Brown with his participation in this case, Mr. Brown has requested electronic notice of filings in this case, electronic copies of filings at the time of their filing and has requested to be allowed to e-mail his responses to the Commission. I believe his requests are reasonable and can be accommodated without violating the Commission's Conduct Rules.

Case No. EC-2008-0384 is a contested case. In a contested case, the Commission is bound by the same *ex parte* rule as a court of law; that is, to avoid off-the-record discussions going to the merits of the contested case. The case has not been set for hearing and the Commission has not yet determined whether there will be an evidentiary hearing.

According to Commission's Rule 4 CSR 240-4.020(8), when a communication (either oral or written) concerning a contested case occurs outside the hearing process, any member of the Commission or the Law Judge who received the communication must prepare a written report concerning the communication and submit it to each member of the Commission and to the parties to the case. The report must identify any person 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.

Pursuant to Commission Rule 4 CSR 240-4.020(7), the requirements of Commission Rule 4 CSR 240-4.020(8) are not triggered until an evidentiary hearing is set. However, in the interest in maintaining full transparency, I am submitting this report and a copy of all e-mail exchanged between myself and Mr. Brown that addressed the procedural issues of his filings and of setting the prehearing conference. The separate e-mail exchanges may contain some over-lap, but by

including all of them no messages have been inadvertently excluded. This will ensure that any party to this case will have notice of the attached information and a full and fair opportunity to respond.

Attachments

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

From: Stearley, Harold
Sent: Thursday, October 02, 2008 2:29 PM
To: 'dan.brown91@yahoo.com'
Subject: FW: Case EC-2008-0384 - Procedural issue

Hello Mr. Brown,

This order setting the Prehearing Conference was issued today.

From: Stearley, Harold
Sent: Thursday, October 02, 2008 6:35 AM
To: 'Dan Brown'
Subject: RE: Case EC-2008-0384 - Procedural issue

Good Morning Mr. Brown,

I am sorry to hear about your friend.

I was out of the office yesterday. I am going to plan on the 14th, but I still need to arrange the phone bridge. I hope to have that set up early this morning. Once I have it set up I will issue a formal order setting the date and time and providing the parties with the phone number to call. I will e-mail you a copy of the order so you will get it much faster than the "snail-mail" copy.

Take care, H

From: Dan Brown [mailto:dan.brown91@yahoo.com]
Sent: Thursday, October 02, 2008 12:37 AM
To: Stearley, Harold
Subject: Fw: Case EC-2008-0384 - Procedural issue

Your Honor, have you been able to work out a good date for our conference call, I have a very dear friend dieing from cancer and I try to schedule my time up there to allow is son / caretaker a brake or if something comes up. Well won't you know it. I just need to pin down a firm date so he can plan his schedule. Thank you.

----- Forwarded Message -----

From: Dan Brown <dan.brown91@yahoo.com>
To: "Stearley, Harold" <harold.stearley@psc.mo.gov>
Sent: Tuesday, September 30, 2008 10:07:55 PM
Subject: Re: Case EC-2008-0384 - Procedural issue

Either date will work for me, I have already cleared both dates in either case.
Thank you

----- Original Message -----

From: "Stearley, Harold" <harold.stearley@psc.mo.gov>

To: dan.brown91@yahoo.com

Sent: Tuesday, September 30, 2008 4:52:52 PM

Subject: FW: Case EC-2008-0384 - Procedural issue

I just realized there may be a conflict with the 6th - would Tuesday October 14th work? It would have to be 8:30 that morning or else in the afternoon.

From: Stearley, Harold

Sent: Tuesday, September 30, 2008 3:32 PM

To: 'Dan Brown'

Subject: RE: Case EC-2008-0384 - Procedural issue

Hello Mr.. Brown,

Would you be available to participate in a "pre-hearing conference" on Monday, October 6 at 8:30 or 9:30 a.m. The pre-hearing is not an evidentiary hearing - nothing will be decided by the Commission at this conference. You may participate by phone utilizing a toll-free phone bridge that I will set up - I will provide you with a call-in number once I have set up the phone bridge.

The purpose of the pre-hearing is for me to go over the issues with the parties and then allow them an opportunity to discuss the issues privately and possibly reach a settlement, or if not to compose a suggested procedural schedule for the Commission. Ultimately, if the case does not reach a settlement, the Commission will examine the case and the proposed procedural schedule and then determine if there is to be a formal evidentiary hearing.

Please let me know if you are available at that time. I have to work in the pre-hearing conference between other scheduled hearings and the availability of rooms.

Thank you, Judge Stearley

From: Dan Brown [mailto:dan.brown91@yahoo.com]

Sent: Monday, September 29, 2008 4:46 PM

To: Stearley, Harold

Subject: Re: Case EC-2008-0384

Thanks for the quick response, I just wanted to make sure that you weren't waiting for me to do something else. From what I see my spell check sure missed a lot of much needed corrections, sorry.

----- Original Message -----

From: "Stearley, Harold" <harold.stearley@psc.mo.gov>

To: Dan Brown <dan.brown91@yahoo.com>

Sent: Monday, September 29, 2008 4:22:31 PM

Subject: RE: Case EC-2008-0384

Hello Mr. Brown,

Sorry for any confusion. I have already received your reply to the September 12th letter - it was forwarded to me today by consumer services and I had our Data Center enter your responses into our Electronic Filing and Information Service (EFIS) today. The fact that consumer services forwarded it to me today is what triggered by call to you this morning. I wanted to be sure that we follow a procedure that is convenient for you. I apologize for not being clear about that.

I have attached that e-mail below to confirm with you that this is the correct filing.

I had planned on making sure you had my e-mail address when I sent out the next order requesting responses, but your e-mail to me now indicates that you have my e-mail address. Please feel free to use this e-mail address for future filings and I will be sure they get filed in the case docket in EFIS.

Thank you Mr. Brown and take care,

Judge Stearley

-----Original Message-----

From: Public Service Commission [<mailto:consumerservices@psc.mo.gov>]

Sent: Sunday, September 28, 2008 2:18 PM

To: Consumer Services

Subject: Public Service Commission - Complaint Form

Date Received: 9/28/2008 2:17:46 PM

First Name: Dan

Last Name: Brown

Business Name:

Address: 9953 County Road 200

City: Carthage

State: MO

Zip Code: 64836

County: Jasper

Telephone Number Where You Can Be Reached During the Day:

Business (Work) Area Code () Number 417-673-2186

Home Area Code () Number 417-673-2186

Other Area Code () Number 417-673-2186

Email Address: dan.brown91@yahoo.com

The Name of the Utility Company involved with your complaint: Empire District Electric Company Account Number:

Description: This is in response to an on going case and complaint with Empire District Electric Company, my case file number is EC-2008-0384. I have asked for e-mail service so I could respond through the internet but I haven't received confirmation of it being established yet and did not want to hold anyone up. If this will not work please have someone either call me or respond by an e-mail message as to what I need to do. Thank you very much.

Daniel E. Brown

9953 County Road 200,

Carthage, Missouri

417.673.2186

Empire's statements

1. While I can agree in part to this statement I still have to add that the way Empire handled themselves during the first ice storm was unacceptable. Their sure didn't appear that they had any type of a major restoration plan in place. It's one thing to open a switch and drive off, it's whole another world to charge and empower that same serviceman to assess each situation and give that Manager that is trapped and working blind back at their service centers information that they so desperately need to base their responses on... But that same Manager should ask what was found if there was out side help either company or contract personnel that weren't trained to fill in the blank spaces. There should be circuit loading in each serviceman's vehicles as well as on each on call supervisor desk and in their vehicles as well. It is readily apparent from a third person prospective that there was only one road map and only one person giving direction. Empire keeps repeating that they had wide spread damage, from what I saw first hand I'd agree, but they have more then one service center and operation stations don't they. They surely have more office staff that could and should be placed in service to assist their service men. What were their meter readers doing during all of this they could have been assigned to escort out side crews around town? I could spell out a complete and successful major disaster restoration plan but that's needs their touch, not mine. I still would like to know just how much territory does their on call supervisor cover. I'm glad that they acknowledge that I do know what I am talking about, if this complaint does nothing other then to get Empire to empower their personnel to think out of the box. They really need to tap that tank of experience and knowledge that they have at their finger tip's. With that simple action they will achieve and enhance their image with not only their customers but also there

stock holders. Because we all know that utilities companies are rated by their outage indices, this could be the biggest and most positive step that they could take.

2. This statement is true and is a must for any service restoration plan to work and be successful. But they need to follow what they have written; it's after getting their priority customers back in service is where they stumble. The duration of the outage during the first ice storm for my area and could have been so different for over a 150 customers in our little area of the planet, if they had empowered personnel. With that buy in from all sides their labor pool would quadruple and the old saying of doing more with less would really be true in this case. My concern is how many other outages could have been curtailed across their service territory if they were handled in the same manner as the one for my area.

3. I agree with this statement because we could not afford a fail safe operation plan that kept the lights on 24/7. But the customers on the section of line should be able to count on this same company to keep its system up to date and with that a back up plan. The load for this section of town didn't grow over night and surely was looked at before the approval was given to extend service to the last subdivision that Empire likes to talk about. The way I look at it my home was here first and someone at Empire made the decision to extend service to this new subdivision that has penalize and punished the rest of us. I want to know how long this loading problem will continue before they get something done. There was no mention of why Empire has installed three high dollar load brake switches that have been added to the rate base for just how many years. Verse 3 goes a long way to cover just about anything and everything, except operator error, or operator misjudgment.

4. I agree in part with this statement, but only up to a point, utility companies must provide a safe and reliable service and this is where they must make system improvements as their load grows. To use a lame statement that this section of feeder has undergone a grow spurt and there was no way to back feed or what ever isn't acceptable to me. They have allowed this feeder to grow well past what they are able to support then they are at fault. They have stated they knew there was a load problem. Then what are their plans to rectify this situation, we have already seen and experienced two very long and costly outages that seem to get progressively worse as time goes by. I'd like to know just how long this situation has festered and better yet I want to know what Empire is going to get done to rectify this situation. They needed to put their money where their mouth is, in their own words this feeder needs work, it really needs to be reconductored in the long run. But as a stop gap measure they need to install some directional voltage regulators, or they could split their circuits up. Their poor planning and reluctance to spend money to correct a service problem is not the act of God but the inaction of a poorly run operation. I have no plans to move for some time so I would really like to know what they are planning to do to see to it that we don't have to go thru this again.

Missouri PSC staff's statements

1. During the January ice storm where our normal feed was from the Alba area was shut down due to ice laden trees falling through the three phase line just south of Main street or there about. This took out our normal feed, what I question was why we weren't switch over to the Oronogo feeder running east from Oronogo to a normal open three phase switch just three spans west of normally closed three phase switch on Highway 96 and O Highway. Empire has not answer that question yet. This same switch has been closed and feeding this section of the feeder for at least 9 to 10 months. I could agree that Empire would have a leg to stand on if we were on a dead end feed, but we were not. Now for the second ice storm in December, where Empire lost a three phase crossarm on pole just east of the normally close three phase switch and a double deadened structure to the east they had two phases burn down. What I wanted to do was cut the jumpers on the three phase double deadened pole and this would safely get this section of line cleared and then I suggested back feeding from the Jack Pine substation. I agree that I do not know any loading capabilities of any of these feeders, but given the circumstances and the severity of the problem I think something should have been tried. What is the normal loading for that feeder out of the Jack pine substation was there anyway to by-pass that breaker or shed some of the load that was on it at the time of this storm. I have already covered what I think of Empires lame excuse about the system loading for this area and I am not willing to accept it either.

2. I agree with the part of this statement that says they really couldn't do anything for the first couple of hours. But when their serviceman was dispatched for this outage he had to report in on what he found and to get permission to do any switching or at least that is how all of the other power companies that I have work on function. I do not know how Empire is set to function during a major storm of this size, do they have any pre assigned field supervisors or field personnel that start patrolling. But then again if Empire thinks of this section of line as dead end line then they wouldn't have checked and until we can change their minds we'll pray for good weather.

3. At no time did I ever want to try and feed this section of line the way it is mentioned here. As I have said before what I wanted to do was cut the jumpers on the two phases that were lying on the ground. The three phase switch was opened on the west side of this section of line and with the two phases that were burnt down cut in the clear on the deadened structure. THEN what I suggested was back feeding this section of line from the Jack Pine substation. The only way that I would ever try to heat up one phase they way someone from either Empire or the PSC has implied is if there was a priority customer that had to have power.

4. The only change that has been made for this section of line is fact that now we feed out Oronogo and not out of the Alba area. I have a small wood working set up in my shop nothing major and I do have several power tools. It was during the process of growth and adding more power tools I started to have problems with breaker tripping out. I wired this shop my self so I know that it up to code in every respect I have been a journeyman electrician since May of 1968. I checked all of my equipment; my service panels all of the circuits and the two pieces of my equipment that were tripping out. One was a Dewalt planner and the other one was a table saw. My service voltage for my shop was running right around 117 to 119 volts and I had to raise the And if they can change things around then why is it that they still can not shift of back feed this section of line from the jack Pine substation.

5. I disagree with the this statement, I keep reading about and seeing references to me or my outage, you all seem to forget that there was another 150 or so customers that were out of services as well for same amount of time. I didn't go door to door and ask each and every one of them about their experiences during these outages, I guess I could if needed. Their sure didn't appear that they had any type of a major restoration plan in place. It's one thing to open a switch and drive off, it's whole another world to charge and empower that same serviceman to assess each situation and give that Manager that is trapped and working blind back at their service centers information that they so desperately need to base their responses on. But that same Manager should ask what was found if there was out side help either company or contract personnel that weren't trained to fill in the blank spaces. There should be circuit loading in each serviceman's vehicles as well as on each on call supervisor desk and in their vehicles as well. It is readily apparent form a third person prospective that there was only one road map and only one person giving direction... Empire keeps repeating that they had wide spread damage, from what I saw first hand I'd agree, but they have more then one service center and operation stations don't they.

6. Now while the Commission has limited jurisdiction as to awarding any monetary settlements you all have the power to hold these Utility companies accountable for their actions and the same Commission can direct each company to take steps to rectify their short comings. When these same companies come before this same Commission and request rate increases because of their so called system improvements you know where to look to see if there have truly been any system improvements.

Questions from the Commission

1. No

2. Yes I do

From: Dan Brown [mailto:dan.brown91@yahoo.com]
Sent: Monday, September 29, 2008 4:13 PM
To: Stearley, Harold
Subject: Case EC-2008-0384

Dear Sir I have been waiting for an email address where I can send my replies to a letter dated September 12 of this year. I just want to make sure that my responses are posted and ready so as to avoid any delays. Please let me know what I need to do. Thank you Daniel E. Brown

From: Stearley, Harold
Sent: Monday, September 29, 2008 4:47 PM
To: 'Dan Brown'
Subject: RE: Case EC-2008-0384

Not a problem. I will be in touch soon.

From: Dan Brown [mailto:dan.brown91@yahoo.com]
Sent: Monday, September 29, 2008 4:46 PM
To: Stearley, Harold
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Thank you Mr. Brown and take care,

Judge Stearley

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Sent: Sunday, September 28, 2008 2:18 PM

To: Consumer Services

Subject: Public Service Commission - Complaint Form

Date Received: 9/28/2008 2:17:46 PM

First Name: Dan

Last Name: Brown

Business Name:

Address: 9953 County Road 200

City: Carthage

State: MO

Zip Code: 64836

County: Jasper

Telephone Number Where You Can Be Reached During the Day:

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Questions from the Commission

1. No

2. Yes I do

From: Dan Brown [mailto:dan.brown91@yahoo.com]
Sent: Monday, September 29, 2008 4:13 PM
To: Stearley, Harold
Subject: Case EC-2008-0384

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-----Original Message-----

From: Stearley, Harold
Sent: Monday, September 29, 2008 8:57 AM
To: Warren, Derl
Subject: RE: Public Service Commission - Complaint Form

Thanks you so much! I will see if I can get him to properly file his responses, however, if you receive any more responses from him, please send them my way and I will be sure and get them filed in the case.

Thanks, H

-----Original Message-----

From: Warren, Derl
Sent: Monday, September 29, 2008 8:49 AM
To: Stearley, Harold
Cc: Bax, Alan
Subject: FW: Public Service Commission - Complaint Form

Judge Stearly:

This response to your letter was received on the consumer services email address.

Thank you,

Derl D Warren
PSC Consumer Services
Phone: 1-800-392-4211
Email: derl.warren@psc.mo.gov

-----Original Message-----

From: Public Service Commission [mailto:consumerservices@psc.mo.gov]
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Date Received: 9/28/2008 2:17:46 PM

First Name: Dan

Last Name: Brown

Business Name:

Address: 9953 County Road 200

City: Carthage

State: MO

Zip Code: 64836

County: Jasper

Telephone Number Where You Can Be Reached During the Day:

Business (Work) Area Code () Number 417-673-2186

Home Area Code () Number 417-673-2186

Other Area Code () Number 417-673-2186

Email Address: dan.brown91@yahoo.com

The Name of the Utility Company involved with your complaint: Empire District

Electric Company Account Number:

Description: This is in response to an on going case and complaint with Empire District Electric Company, my case file number is EC-2008-0384. I have asked for e-mail service so I could respond through the internet but I haven't received confirmation of it being established yet and did not want to hold anyone up. If this will not work please have someone either call me or respond by an e-mail message as to what I need to do. Thank you very much.

Daniel E. Brown

9953 County Road 200,

Carthage, Missouri

417.673.2186

Empire's statements

1. While I can agree in part to this statement I still have to add that the way Empire handled them selves during the first ice storm was unacceptable. Their sure didn't appear that they had any type of a major restoration plan in place. It's one thing to open a switch and drive off, it's whole another world to charge and empower that same serviceman to assess each situation and give that Manager that is trapped and working blind back at their service centers information that they so desperately need to base their responses on. But that same Manager should ask what was found if there was out side help either company or contract personnel that weren't trained to fill in the blank spaces. There should be circuit loading in each serviceman's vehicles as well as on each on call supervisor desk and in their vehicles as well. It is readily apparent from a third person prospective that there was only one road map and only one person giving direction. Empire keeps repeating that they had wide spread damage, from what I saw first hand I'd agree, but they have more then one service center and operation stations don't they. They surely have more office staff that could and should be placed in service to assist their service men. What were their meter readers doing during all of this they could have been assigned to escort out side crews around town? I could spell out a complete and successful major disaster restoration plan but that's needs their touch, not mine. I still would like to know just how much territory does their on call supervisor cover. I'm glad that they acknowledge that I do know what I am talking about, if this complaint does nothing other then to get Empire to empower their personnel to think out of the box. They really need to tap that

tank of experience and knowledge that they have at their finger tip. With that simple action they will achieve and enhance their image with not only their customers but also their stock holders. Because we all know that utilities companies are rated by their outage indices, this could be the biggest and most positive step that they could take.

2. This statement is true and is a must for any service restoration plan to work and be successful. But they need to follow what they have written; it's after getting their priority customers back in service is where they stumble. The duration of the outage during the first ice storm for my area and could have been so different for over a 150 customers in our little area of the planet, if they had empowered personnel. With that buy in from all sides their labor pool would quadruple and the old saying of doing more with less would really be true in this case. My concern is how many other outages could have been curtailed across their service territory if they were handled in the same manner as the one for my area.

3. I agree with this statement because we could not afford a fail safe operation plan that kept the lights on 24/7. But the customers on the section of line should be able to count on this same company to keep its system up to date and with that a back up plan. The load for this section of town didn't grow over night and surely was looked at before the approval was given to extend service to the last subdivision that Empire likes to talk about. The way I look at it my home was here first and someone at Empire made the decision to extend service to this new subdivision that has penalized and punished the rest of us. I want to know how long this loading problem will continue before they get something done. There was no mention of why Empire has installed three high dollar load brake switches that have been added to the rate base for just how many years. Verse 3 goes a long way to cover just about anything and everything, except operator error, or operator misjudgment.

4. I agree in part with this statement, but only up to a point, utility companies must provide a safe and reliable service and this is where they must make system improvements as their load grows. To use a lame statement that this section of feeder has undergone a growth spurt and there was no way to back feed or what ever isn't acceptable to me. They have allowed this feeder to grow well past what they are able to support then they are at fault. They have stated they knew there was a load problem. Then what are their plans to rectify this situation, we have already seen and experienced two very long and costly outages that seem to get progressively worse as time goes by. I'd like to know just how long this situation has festered and better yet I want to know what Empire is going to get done to rectify this situation. They needed to put their money where their mouth is, in their own words this feeder needs work, it really needs to be reconductored in the long run. But as a stop gap measure they need to install some directional voltage regulators, or they could split their circuits up. Their poor planning and reluctance to spend money to correct a service problem is not the act of God but the inaction of a poorly run operation. I have no plans to move for some time so I would really like to know what they are planning to do to see to it that we don't have to go thru this again.

Missouri PSC staff's statements

1. During the January ice storm where our normal feed was from the Alba area was shut down due to ice laden trees falling through the three phase line just south of Main street or there about. This took out our normal feed, what I question was why we weren't switch over to the Oronogo feeder running east from Oronogo to a normal open three phase switch just three spans west of normally closed three phase switch on Highway 96 and O Highway. Empire has not answered that question yet. This same switch has been closed and feeding this section of the feeder for at least 9 to 10 months. I could agree

that Empire would have a leg to stand on if we were on a dead end feed, but we were not. Now for the second ice storm in December, where Empire lost a three phase crossarm on pole just east of the normally close three phase switch and a double deadened structure to the east they had two phases burn down. What I wanted to do was cut the jumpers on the three phase double deadened pole and this would safely get this section of line cleared and then I suggested back feeding from the Jack Pine substation. I agree that I do not know any loading capabilities of any of these feeders, but given the circumstances and the severity of the problem I think something should have been tried. What is the normal loading for that feeder out of the Jack pine substation was there anyway to by-pass that breaker or shed some of the load that was on it at the time of this storm. I have already covered what I think of Empires lame excuse about the system loading for this area and I am not willing to accept it either.

2. I agree with the part of this statement that says they really couldn't do anything for the first couple of hours. But when their serviceman was dispatched for this outage he had to report in on what he found and to get permission to do any switching or at least that is how all of the other power companies that I have work on function. I do not know how Empire is set to function during a major storm of this size, do they have any pre assigned field supervisors or field personnel that start patrolling. But then again if Empire thinks of this section of line as dead end line then they wouldn't have checked and until we can change their minds we'll pray for good weather.

3. At no time did I ever want to try and feed this section of line the way it is mentioned here. As I have said before what I wanted to do was cut the jumpers on the two phases that were lying on the ground. The three phase switch was opened on the west side of this section of line and with the two phases that were burnt down cut in the clear on the deadened structure. THEN what I suggested was back feeding this section of line from the Jack Pine substation. The only way that I would ever try to heat up one phase they way someone from either Empire or the PSC has implied is if there was a priority customer that had to have power.

4. The only change that has been made for this section of line is fact that now we feed out Oronogo and not out of the Alba area. I have a small wood working set up in my shop nothing major and I do have several power tools. It was during the process of growth and adding more power tools I started to have problems with breaker tripping out. I wired this shop my self so I know that it up to code in every respect I have been a journeyman electrician since May of 1968. I checked all of my equipment; my service panels all of the circuits and the two pieces of my equipment that were tripping out. One was a Dewalt planner and the other one was a table saw. My service voltage for my shop was running right around 117 to 119 volts and I had to raise the And if they can change things around then why is it that they still can not shift of back feed this section of line from the jack Pine substation.

5. I disagree with the this statement, I keep reading about and seeing references to me or my outage, you all seem to forget that there was another 150 or so customers that were out of services as well for same amount of time. I didn't go door to door and ask each and every one of them about their experiences during these outages, I guess I could if needed. Their sure didn't appear that they had any type of a major restoration plan in place. It's one thing to open a switch and drive off, it's whole another world to charge and empower that same serviceman to assess each situation and give that Manager that is trapped and working blind back at their service centers

information that they so desperately need to base their responses on. But that same Manager should ask what was found if there was out side help either company or contract personnel that werenâ?Tt trained to fill in the blank spaces. There should be circuit loading in each servicemanâ?Ts vehicles as well as on each on call supervisor desk and in their vehicles as well. It is readily apparent form a third person prospective that there was only one road map and only one person giving direction. Empire keeps repeating that they had wide spread damage, from what I saw first hand Iâ?Td agree, but they have more then one service center and operation stations donâ?Tt they.

6. Now while the Commission has limited jurisdiction as to awarding any monetary settlements you all have the power to hold these Utility companies accountable for their actions and the same Commission can direct each company to take steps to rectify their short comings. When these same companies come before this same Commission and request rate increases because of their so called system improvements you know where to look to see if there have truly been any system improvements.

Questions from the Commission

1. No
2. Yes I do