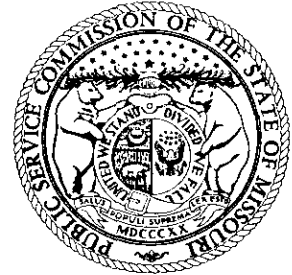


Notice of *Ex Parte* Contact

TO: Data Center
All Parties in Case No. **ER-2007-0004**

FROM: Chairman Jeff Davis
Commissioner Connie Murray
Commissioner Steve Gaw
Commissioner Lin Applin
Commissioner Robert Clayton



DATE: May 16, 2007

On May 15, 2007, we received the attached email from Julie Noonan regarding Aquila. The Commission is currently considering the issues discussed in this document in case **ER-2007-0004** which is a contested case. In contested cases, the Commission is bound by the same *ex parte* rule as a court of law.

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

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

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

Murray, Connie

From: Noonan, Julie L [CK] [Julie.L.Noonan@sprint.com]
Sent: Tuesday, May 15, 2007 8:52 AM
To: Murray, Connie; Appling, Linward (Lin); Davis, Jeff
Cc: Gaw, Steve; Clayton, Robert; PSC Info (Public Info Email Address) - PSC; info@psc.mo.gov; stop_aquila@yahoo.com
Subject: Another Day in Paradise

Commissioners Davis, Appling, & Murray:

What would we dumb country bumpkins do with all of our vacation if we didn't have to use it to attend PSC kangaroo courts and real court proceedings thanks to our Aquila and Commission friends? Two and a half years later, we have an illegally built power plant, inability to sell our homes, a list of REAL court victories that will undoubtedly expand after today, and hefty legal fees. What of others? Aquila has an illegally built plant with an illegally issued CNN that they operate to sell power at exorbitant prices. Aquila also has a strategy to continue working with your staff to illegally push expenses into the rate base for "prudently incurred" expenses for a non-existent plant with non-existent turbines. Let's see, how exactly are you going to justify BOTH "prudently incurred" (wisely spent on something real) with "used and useful"? Can you help this idiot understand how a non-existent plant can be used and useful?

Never mind. I'm sure you'd farm the answer out to the same flunky staff that you should have dismissed years ago that continues to recommend you pursue collusion with the crooks on this mess.

Have a great day. I'm sure I won't be seeing you in court – only the fall out from your mess.

Honorable Commissioners Clayton & Gaw: Great questions in the rate case! I suspect your peers probably weren't around, but there are those who do pay attention and do care. Even kids find a phantom plant laughable.....not surprising. Keep up the great work!

Regards,

Julie Noonan
StopAquila.org
wk: 913.794.2823 pcs: 816.695.4434

Privileged Communication

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5/16/2007