

Initial Comments of AmerenUE on Communications with Commissioners**1. Rules Should Encourage Open, Robust Communication with Commissioners by All Stakeholders When Possible.**

- Commissioners' duties require them to be knowledgeable about complicated regulatory matters and the industries and companies they regulate, but they often do not have a strong background in utility regulation or in the utility business. Open discussion with all parties is key to Commissioners understanding complicated issues and should be encouraged.
- Commissioners must be informed about developments and trends in the utility industry and among utilities in Missouri in particular—e.g. storm outages, billing and service issues, technological advances, and significant issues affecting the utility or the industry. These must be communicated on a timely basis to be useful to Commissioners.
- Commissioners should be encouraged to participate in industry forums and conferences. Sharing best practices with other states is beneficial to all.
- Regular communication with stakeholders should be the norm, except regarding items that are at issue in a pending contested case. Commissioners cannot be expected to regulate in an information vacuum.
- Agenda presentations and meetings with individual Commissioners by stakeholders, where appropriate, should be encouraged.

2. Rules Should Apply Equally to All Parties, Including the Staff and Public Counsel.

- Staff and Public Counsel are often litigants in contested cases. They should be subject to the same rules as other parties/stakeholders.
- Commissioner assistants/advisors/RLJs should be the exception to this general rule. So should attorneys in their role representing the Commission in appeals, FERC matters, etc.

3. Rules Necessary to Ensure Fairness in Contested Cases Should Not Apply to the Commission's Quasi-Legislative Functions (e.g., Rulemakings) and Other Appropriate Cases.**4. Rules Should Be Consistent with Specific Requirements of Section 386.210.**

- Statutory standards for balancing competing considerations set by the Legislature must be adhered to. Statute should be the starting point for rules.
- Rules should reflect the bright line for communications reflected in the statute so that any confusion about when and under what circumstances contact with Commissioners is appropriate is eliminated.

5. The Notification Process for Ex Parte Communications that Do Occur Should be Streamlined.