

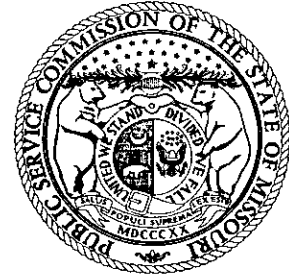
Notice of *Ex Parte* Contact

TO: Data Center
All Parties in Case No. LA-2005-0417

FROM: Douglas Healy
Personal Advisor

DATE: June 6, 2005

OK [Signature] [Signature]



On June 2, 2005 I received a voicemail message from Mr. Tom Krewson regarding Comcast Phone of Missouri. In his message, Mr. Krewson noted that Comcast had filed certification papers with the Public Service Commission and requested that the process be expedited. The Commission is currently considering issues related to this message in case LA-2005-0417 which is a contested case. In contested cases, the Commission and Commission Advisors are bound by the same *ex parte* rule as a court of law. For this reason, I did not return the call.

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 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, I submit this report pursuant to the rules cited above. This will ensure that any party to this case will have notice of this voicemail message and a full and fair opportunity to respond to it.

cc: Commissioners
Executive Director
Secretary
General Counsel