

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
March 21, 2002**

**CASE NO: ER-2002-424**

**Office of the Public Counsel**  
P.O. Box 7800  
Jefferson City, MO 65102

**James Swearingen**  
**Brydon, Swearingen & England**  
312 East Capitol Ave  
P.O. Box 456  
Jefferson City, MO 65102

**General Counsel**  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

**Stewart W. Conrad**  
**Finnegan, Conrad & Peterson, L.C.**  
3100 Broadway, Suite 1209  
Kansas City, MO 64111

**Enclosed find certified copy of a NOTICE in the above-numbered case(s).**

**Sincerely,**

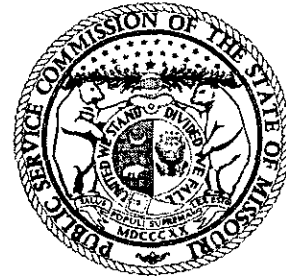


**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

**Uncertified Copies:**

## Notice of *Ex Parte* Contact

TO: Records Department:  
All Parties in Case No. **ER-2002-424**  
All Commissioners



FROM: Chairman Kelvin Simmons *KCS*  
Commissioner Connie Murray *CM*  
Commissioner Sheila Lumpe *SL*  
Commissioner Steve Gaw *SG*  
Commissioner Bryan Forbis *BF*

DATE: March 20, 2002

On March 15, 2002, we received the attached document from Senator Marvin A. Singleton. The Commission is currently considering the issues discussed in this document in Case No. **ER-2002-424**. **ER-2002-424** is a contested case. 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), 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 the attached information and a full and fair opportunity to respond to the comments contained therein.

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

MARVIN A. SINGLETON, M.D.

32ND DISTRICT

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MISSOURI SENATE

JEFFERSON CITY

Committees:

Chairman, Public Health and Welfare

Chairman, State Budget Control

Vice-Chairman, Administration

Insurance and Housing

Rules, Joint Rules, Resolutions and Ethics

March 12, 2002

Missouri Public Service Commission

P.O. Box 360

Jefferson City, MO 65102

RE: Empire District Rate Increases

Dear Commissioners:

I am in agreement of rate increases for Empire District Electric Company. However, I adamantly oppose additional fees for experimental low-income riders. I feel that this is not the best method of helping low-income Missourians. This is a "Robin Hood request". It very well may be a handicap for those who are marginally paying their electrical bills in an effort for Empire to collect electrical bills from even more destitute customers. In no way am I supportive of efforts of private enterprise to become the social agency of the state of Missouri at the detriment of their customers.

If I can be of any further help, please don't hesitate to write or call.

Sincerely,

A handwritten signature in black ink, appearing to read "Marvin A. Singleton".

Marvin A. Singleton, MD  
State Senator, 32<sup>nd</sup> District

MAS:rs

cc: Editor, Joplin Globe.

corr-out/PSC

RECEIVED  
MAR 15 2002

UTILITY OPERATIONS  
DIVISION  
RECEIVED  
MAR 20 2002

Adjudication Division  
Public Service Commission

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

I have compared the preceding copy with the original on file in this office and  
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,  
Missouri, this 21<sup>st</sup> day of March 2002 .



*Dale Hardy Roberts*

**Dale Hardy Roberts**  
Secretary/Chief Regulatory Law Judge