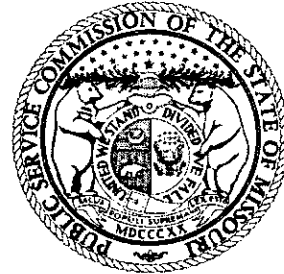


## Notice of *Ex Parte* Contact

TO: Data Center:  
All Parties in Case No. **WR-2003-0500**

FROM: Chairman Kelvin Simmons *KS*  
Commissioner Connie Murray *CM*  
Commissioner Steve Gaw *SG*  
Commissioner Bryan Forbis *BF*  
Commissioner Robert Clayton *RC*



DATE: October 23, 2003

On October 22, 2003, we received the attached e-mail from Roy Fleming regarding Missouri-American Water Company. The Commission is currently considering the issues discussed in this document in Case No. **WR-2003-0500**. **WR-2003-0500** 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, 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: Executive Director  
Secretary/Chief Regulatory Law Judge  
General Counsel

**Simmons, Kelvin**

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**From:** Fleming, Roy J [ITS] [Rflemi01@sprintspectrum.com]  
**Sent:** Wednesday, October 22, 2003 4:05 PM  
**To:** stevegaw@psc.state.mo.us; kelvinsimmons@psc.state.mo.us; conniemurray@psc.state.mo.us; bryanforbis@psc.state.mo.us; robertclayton@psc.state.mo.us  
**Subject:** Missouri American Water - Proposed Rate Increase

Commissioners,

As a resident of Parkville, Missouri and an unwilling user of water supplied by Missouri American Water I want to express my concern regarding the recent rate increase requested by Missouri American Water. The past five years has seen a significant increase in the cost of water. As an individual with little access to the decision making process or influence over the ones who make the decision, I have been forced to pay the increased costs or have my water cut off.

My wife's mother lives in Kansas City. She pays less than thirty dollars every other month for her water and sewage. Five years ago, the cost of our water and sewage was comparable to what my wife's mother pays now. Today, we pay in excess of one hundred dollars each month for water and sewage.

In a free market system, such as we have, I can change suppliers if I do not like the service I am getting. For obvious reasons, I have no flexibility to change to a different supplier if I am unhappy with the cost of the water. I urge you to consider the individual consumers such as myself who do not have the flexibility to change to a different water company by moving to a different area. In this time of economic hardship, and job instability I urge you to vote for the consumer rather than the impersonal and indifferent corporation.

Sincerely,

Roy Fleming  
6125 NW Pineridge Cir  
Parkville, MO 64152  
816-678-6617