

Notice of *Ex Parte* Contact

TO: Records Department: All Parties in Case No. **HO-00-20**
All Commissioners

FROM: Dale Hardy Roberts
Chief Regulatory Law Judge

DHR

DATE: July 14, 1999



On , July 14, 1999, the Law Judges and Commissioners received the attached internal E-mail message regarding the assessment process. The Commission is currently considering the same issues as to those set out in this document in Case No. HO-00-20. The Commission is bound by the same *ex parte* rule as a court of law.

Pursuant to 4 CSR 240-4.020(4) it is improper for any person to attempt to sway the judgment of the Commission by undertaking, directly or indirectly, outside the hearing process, to bring pressure or influence to bear upon the Commission, or the Regulatory Law Judge assigned to the proceeding.

Whenever such contact might occur 4 CSR 240-4.020(a) states: as *ex parte* communications (either oral or written) may occur inadvertently, any member of the Commission or Regulatory Law Judge who received the communication **shall** immediately prepare a written report concerning the communication and submit it to the Chair and each member of the Commission. 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, out of an abundance of caution, I think it appropriate to submit this notice of *ex parte* contact pursuant to the standards set out in 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

RECEIVED

JUL 15 1999

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION