

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

June 23, 2000

CASE NO: EC-99-553

Office of the Public Counsel

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General Counsel

Missouri Public Service Commission
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Brickfield, Burchette & Ritts, P.C.
1025 Thomas Jefferson Street NW
8th Floor, West Tower
Washington, DC 20007

Gerald A. Reynolds

KCPL
1201 Walnut Street
Kansas City, MO 64106

Enclosed find certified copy of an Ex Parte in the above-numbered case(s).

Sincerely,



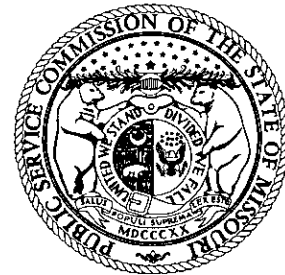
**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

Notice of *Ex Parte* Contact

TO: Records Department: All Parties in Case No. **EC-99-553**
All Commissioners

FROM: Chair Sheila Lumpe

DATE: June 23, 2000



On May 29, 2000, I received a letter from Mark G. Essig (forwarded to me from the Department of Economic Development, Director's office), regarding Kansas City Power & Light. The Commission is currently considering the same issues as to those set out in this document in Case No. **EC-99-553**. 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 judgement 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

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Commissioners

SHEILA LUMPE
Chair

M. DIANNE DRAINER
Vice Chair

CONNIE MURRAY

ROBERT G. SCHEMENAUER

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BRIAN D. KINKADE
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Director, Research and Public Affairs

WESS A. HENDERSON
Director, Utility Operations

ROBERT SCHALLENBERG
Director, Utility Services

DONNA M. KOLILIS
Director, Administration

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

June 23, 2000

Mark G. Essig
Chairman, President & CEO
GS Industries
1901 Roxborough Road
Suite 200
Charlotte NC 28211

Re: Case Number EC-99-553

Dear Mr. Essig:

The Commission appreciates knowing your opinion.

This case is an open case, so I cannot comment on it. Your letter will be shared with all the Commissioners and be placed in the official file so all the parties can view it.

Thank you for taking the time to write.

Sincerely,

A handwritten signature in cursive script that reads "Sheila Lumpe".

Sheila Lumpe

cc: Commissioners
Joseph L. Driskill



Sheila Gump,
Please respond
and provide the
directors
office with
a copy of your
response.
Thanks.

Mark G. Essig
Chairman, President &
Chief Executive Officer

Fax #(573) 751-7258

May 26, 2000

Sheila

Mr. Joseph L. Driskill
Director
Missouri Dept. of Economic Development
Truman State Office Building
P. O. Box 1157
Jefferson City, MO 65102

EC-99-553

Dear Mr. Driskill,

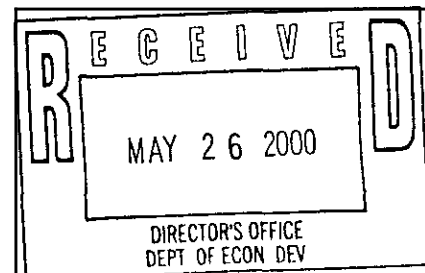
On two previous occasions I have visited with you expressing our concern about KCPL's deteriorating maintenance practices and availability of generating capacity. Although we have had our hearing before the MPSC and all the testimony and briefs are now public knowledge the problem still exists. On May 25th, at about 11:00 p.m., another explosion occurred in a high voltage transformer near KCPL's Hawthorn Plant. This explosion and an associated intense fire suddenly cut off electrical power to GST Steel's facility. This disruption of electricity caused the caster to break out and spilled tons of molten steel (2900° Fahrenheit) onto the floor. This created a major safety risk for our workers. This episode will cost GST Steel in excess of \$500,000 due to lost production, clean up and repairs.

As we said at our last meeting, KCPL's performance is following a trend similar to the one taken over the last several years by Commonwealth Edison in Chicago. As you recall Chicago suffered major service disruption last year due to poor management of its transmission and distribution facilities. We would hope your office would take all necessary steps to insure that this does not happen in Kansas City.

We are willing to be of any assistance necessary to help you prevent this.

Sincerely,

Mark G. Essig



1901 Roxborough Road Suite 200 Charlotte, NC 28211 USA 704-366-6901 Fax 704-365-0180

**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 23rd day of June 2000.

Dale Hardy Roberts

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

