

## Notice of *Ex Parte* Contact

TO: Data Center  
All Parties In Case No. EC-2007-0018

FROM: Nathan Williams  
Deputy Counsel

DATE: July 19, 2006

On July 19, 2006, I received the attached e-mail from the presiding officer in the above case, Case No. EC-2007-0018. This is a contested case where the Commission is bound by the same rules on *ex parte* communications as a court of law. According to Commission rule 4 CSR 240-2.010(11) the Commission's staff is a party in every case, unless it files a notice of its intention not to participate.

Commission rule 4 CSR 240-4.020(6) provides that presiding officers are not to make prohibited *ex parte* communications to parties. Commission rule 4 CSR 240-4.020(8) requires that those who receive a prohibited *ex parte* communication are to prepare a written report concerning the communication and submit it to each member of the Commission and the parties in the case. The report is to identify the person(s) who participated in the *ex parte* communication, the circumstances that 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 submit this report. Doing so will ensure each party to this case will have notice of the attached communication and a full and fair opportunity to respond to it.

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

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**From:** Stearley, Harold  
**Sent:** Tuesday, July 18, 2006 2:00 PM  
**To:** Vieth, Tammy  
**Cc:** Williams, Nathan  
**Subject:** Question regarding EC-2007-0018

Hello Ms. Vieth and Mr. Williams,

I'm the presiding officer in this case. I see that you are listed as being assigned to this matter. Last Friday KCPL was ordered to reconnect Mr. Broughton's power during the pendency of his complaint. It was just brought to my attention by the Data Center that Mr. Broughton called and his power has not yet been restored. Since I am not allowed to have any ex-parte contact with the parties, could the staff please check into this matter and then file their findings.

Thanks, H