

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of a Repository File for     )  
The Collection and Distribution of         )  
Documents Pertaining to the Ethics        )  
Review at the Missouri Public Service     )  
Commission.                                     )

**File No. AW-2009-0313**

## **NOTICE OPENING WORKING DOCKET ON ETHICS AND STANDARDS OF CONDUCT**

Issue Date: March 3, 2009

On August 19, 2008, the Commission posted a request for proposals for an independent entity to evaluate the Commission's current ethics rules and practices. The ethics rules, including the *Ex Parte* rules, had been the subject of much discussion among Commissioners, the Staff, Public Counsel and other counsel and individuals that appear before the Commission, including regulated utilities. During the 2008 General Assembly, Senator Joan Bray obtained an appropriation to pay for an independent review of the Commission's rules and practices, for recommendations for change and assistance in implementing those changes. After review of all applications by a review committee and the Office of Administration, the Commission awarded the contract on February 4, 2009 to the law firm of Hinshaw & Culbertson LLP; the lead attorney on the project will be Mr. Michael Downey ("the Consultant"). The Consultant is not a regular practitioner before the Commission and Mr. Downey has considerable ethics expertise. Mr. Downey's contact information is Hinshaw & Culbertson, LLP, 701 Market Street, Suite 1300, St. Louis, Missouri 63101. The Commission wants any persons with an interest in this project to have an opportunity to review documents pertaining to the

project and to submit any pertinent comments or documents. The Commission will ask that the Consultant place in this file all documentation pertaining to the project that is not a "closed record" pursuant to §610.021 RSMo 2000. Opening an electronic file will allow any and all interested parties to file comments and allow for public dissemination of those comments, so that any and all interested parties who wish to respond may do so. The Commission is convinced that an open and active dialogue about the process, as well as transparency of the process will lead to a more effective outcome.

Therefore, the Commission will open this file to be a repository for any documentation concerning the ethics review project. As this matter is not a Commission contested case, any party may make a filing without counsel and without *ex parte* constraints (arising from this matter). Intervention requests will not be necessary for participation.

The public is welcome to file comments by forwarding electronic communications through the electronic filing and information system (EFIS) or mailing written comments. You may file electronic comments by logging onto <http://psc.mo.gov/case-filing-information>. Written comments in hard copy should be addressed to the Commission at P.O. Box 360, Jefferson City, Missouri 65102 and referencing File No. AW-2009-0313.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Dated at Jefferson City, Missouri,  
on this 3<sup>rd</sup> day of March, 2009.

Dale, Chief Regulatory Law Judge