

## Notice of *Ex Parte* Contact

TO: Data Center:  
All Parties to Case No. SR-2008-0080  
Commissioners

FROM: Nancy Dippell  
Deputy Chief Regulatory Law Judge

DATE: October 30, 2007



On October 30, 2007, during the discussion of Case SR-2008-0080 in the regularly scheduled Agenda meeting of the Commission, I responded to a question of Chairman Davis that the total operating revenues of Timber Creek Sewer Company were \$447,380. After making the comment, I asked Jim Russo, a member of the Staff of the Missouri Public Service Commission who was present, if that was the correct figure. Mr. Russo told me that it was but that that number included "miscellaneous" so that the requested increase is actually 32% of the total revenue. Since this is a contested case, the Commission is bound by the same *ex parte* rule as a court of law; that is, to avoid off-the-record discussions going to the merits of the contested case.

According to the Commission's rules (4 CSR 240-4.020(8)), 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 to each member of the Commission and the parties to the case. The report shall identify the person or persons 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, I 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