

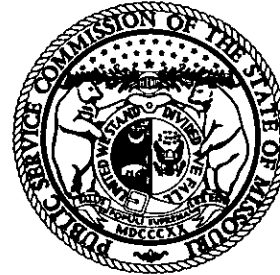
Notice of *Ex Parte* Contact

TO: Data Center
All Parties in Case No. TO-2003-0531
All Commissioners

FROM: Chairman Steve Gaw



DATE: November 16, 2004



On November 8, 2004, my office received a phone call from Charlie Polson, Sheriff of Howard County. The Commission is currently considering the issues discussed in the phone call in Case No. TO-2003-0531 and is bound by the same *ex parte* rule as a court of law.

Although communications from the public are always welcome, those communications must be made known to all parties to a contested case so that those parties have the opportunity to respond. According to the Commission's rules (4 CSR 240-4), when a communication (either oral or written) occurs outside the hearing process, any member of the Commission or the 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(s) who participated in the *ex parte* communication, the substance of the communication and the relationship of the communication to a particular matter at issue before the Commission.

Therefore, this report is submitted 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