

Missouri Public Service Commission

Adjudication Division - Data Center

P.O. Box 360

Jefferson City, Missouri 65102-0360

MO 419-2651 (9-01)

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JUL 28 2006
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65102-0360

FILED⁴

JUL 31 2006

Missouri Public
Service Commission

Anthony Broughton
2200 East 79th Street
Kansas City, MO 64114

NIXIE 641 1 70 07/28/06

RETURN TO SENDER
INSUFFICIENT ADDRESS
UNABLE TO FORWARD

BC: 65102036060 *0728-03973-20-36

64132+3424-00 C016
65102@0360

|||||

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

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

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 19th day of July 2006.**



**Colleen M. Dale
Secretary**

MISSOURI PUBLIC SERVICE COMMISSION

July 19, 2006

Case No. EC-2007-0018

General Counsel's Office
P.O. Box 360
200 Madison Street, Suite 800
Jefferson City, MO 65102

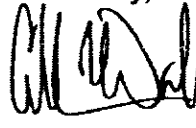
Lewis R. Mills, Jr.
P.O. Box 2230
200 Madison Street, Suite 650
Jefferson City, MO 65102

Anthony Broughton
2200 East 79th Street
Kansas City, MO 64114

Kansas City Power & Light Company
Curtis Blanc
1201 Walnut Street
P. O. Box 418679
Kansas City, MO 64141

Enclosed find a certified copy of a NOTICE in the above-numbered case(s).

Sincerely,

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', with a stylized, cursive script.

**Colleen M. Dale
Secretary**