

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

ROB LEE,)	
)	
Complainant,)	
)	
v.)	File No. WC-2009-0277
)	
MISSOURI AMERICAN)	
WATER COMPANY,)	
)	
Respondent.)	

Report of Ex Parte Contact

Issue Date: February 5, 2009

COMES NOW Daniel Jordan the regulatory law judge ("RLJ") assigned to this case and reports an ex parte contact as follows.

On March 25, 2009, at approximately 2:45 p.m., I received a telephone call from Rob Lee, complainant in this case, at my office. Mr. Lee sought procedural guidance. But he also made statements in support of his complaint's allegations, and statements reflecting on the credibility of possible witnesses.

I admonished Mr. Lee more than once to cease such statements on the grounds of the following Commission regulation:

It is improper for any person interested in a case before the commission to attempt to sway the judgment of the commission by undertaking, directly or indirectly, outside the hearing process to bring pressure or influence to bear upon the commission, its staff or the presiding officer assigned to the proceeding. [¹]

¹ 4 CSR 240-2.020(4)

The Commission's regulations provide for reporting such contacts:

[Because] *ex parte* communications (either oral or written) may occur inadvertently, any [RLJ] who receives that communication shall immediately prepare a written report concerning the communication and submit it to the chairman and each member of the commission. The report shall identify the employee and the person(s) 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.^[2]

Pursuant to that provision, I am filing this report.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Daniel Jordan', with a stylized flourish at the end.

Daniel Jordan,
Regulatory Law Judge

² 4 CSR 240-2.020(8)