
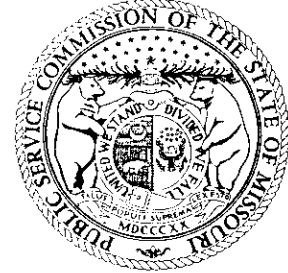


Notice of *Ex Parte* Contact

TO: Data Center
All Parties in Case No. **TO-2005-0143**

FROM: Douglas L. Healy 
Advisor to Chairman Davis

DATE: August 15, 2006



On August 15, 2006 I received a telephone call from Arthur Martinez, a CenturyTel employee, regarding an imminent filing in the above-numbered case. Mr. Martinez called to inform me that CenturyTel would be filing a petition in the near future that will take advantage of the change of law in section 392.245, RSMo, (commonly referred to as the "price cap" statute) recently enacted by the Missouri legislature to reduce existing rates in Ozark, Missouri by forgoing reductions in rates in other exchanges; and which is supported by the Office of Public Counsel. The Commission is currently considering the issues discussed in case number **TO-2005-0143**, which is a contested case. In contested cases, the Commission is bound by the same *ex parte* rule as a court of law.

Although communications from members of the public and members of the legislature 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 240-4.020(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(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.

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: Commissioners
Executive Director
Secretary/Chief Regulatory Law Judge
General Counsel