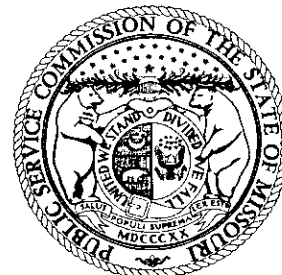


Notice of *Ex Parte* Contact

TO: Data Center
All Parties in Case No. **WC-2008-0160**

FROM: Chairman Jeff Davis

DATE: December 12, 2007



On or about two weeks ago, I spoke with Senator Green via phone concerning his desire to make public Missouri-American Water's management salaries. Subsequently, I provided Senator Green's office with a copy of American Water Company's S-1 filing with the Securities & Exchange Commission and had the following e-mail exchange with Janson Thomas, his legislative assistant. Since this case, **WC-2008-0160**, is a contested case; therefore, the Commission is bound by the same *ex parte* rule as a court of law. Accordingly, I am making notice to the parties this communication has been received.

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, we 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: The Honorable Tim Green
Commissioners
Executive Director
Secretary/Chief Regulatory Law Judge
General Counsel

Davis, Jeff

From: Janson Thomas [janson.thomas@senate.mo.gov]
Sent: Tuesday, December 04, 2007 11:13 AM
To: Davis, Jeff
Subject: RE: American Water Company Salary Information

Jeff,

Thank you. I will get this information to Sen. Green. Thank you again for your efforts. --JMT

Janson M. Thomas
Legislative Assistant
Senator Timothy P. Green, 13th District
Missouri State Capitol, Room 219
(573) 751-2420 office
(573) 751-1598 fax

From: Davis, Jeff [mailto:jeff.davis@psc.mo.gov]
Sent: Tuesday, December 04, 2007 11:00 AM
To: Janson Thomas
Subject: American Water Company Salary Information

Dear Janson,

Pursuant to Senator Green's request, here's the link to American Water's S-1 filing with the SEC. They are required to update this information annually as part of their proxy statement. The salary information starts on page 130 and it lists the salaries for the 5 highest paid employees and the executive bonus plan which can be found in a nice spreadsheet form beginning on page 140, which includes future liabilities incurred by the company to those named individuals. This is a public document :

http://www.sec.gov/Archives/edgar/data/1410635/000119312507217119/ds1a.htm#tx60229_14

Please make sure he gets this document or the pertinent information contained therein.

Sincerely,

Jeff Davis

12/12/2007

Davis, Jeff

From: Janson Thomas [janson.thomas@senate.mo.gov]
Sent: Thursday, December 06, 2007 1:16 PM
To: Davis, Jeff
Subject: RE: Updated MO-AWC information going forward...

Jeff,

Sen. Green learned this afternoon from St. Louis, after reviewing the information you sent, that all the information that has been reviewed is about Am. Water corporate in N.J.

There is no listing of the salaries of the Mo. American Water Co. officers. This is info that they always use to provide in the past. In the past they also released the salaries of all employees who made over \$50,000. We need the MO information too. Please let me know what steps are being taking to get the MO information which is the information that Sen. Green needs.

There is not rational reason why the company changed it's reporting from last year. They are not forthcoming at all this year for a reason. This was all public information in the past.

Thank you.

-JMT

From: Davis, Jeff [mailto:jeff.davis@psc.mo.gov]
Sent: Thursday, December 06, 2007 9:52 AM
To: Janson Thomas
Subject: Updated MO-AWC information going forward...

Dear Janson,

MO-AWC informs me that a new S-1 form will be filed in the 2nd quarter of calendar year 2008. I will keep a watch out and forward that information to you when it becomes available.

Sincerely,

Jeff Davis

12/12/2007