

⁴ The Missouri Energy Group (“MEG”) members are Barnes-Jewish Hospital, Buzzi Unicem USA, Inc., Holcim US, Inc., and SSM HealthCare.

2. On January 15, 2008, Chairman Davis issued his report in Case No. AO-2008-0192. Although there are significant differences in the Petitioners' proposed amendments to 4 CSR 240-4.020 and the Chairman's recommendations, both recognize a need for changes to current Commission practice.

3. In the interval since the Petitioners filed suggested rules and the Chairman issued his report, the Commission has docketed a hundred new cases, including two major rate cases. But in that same interval, the Commission has taken no action to either grant or deny Petitioners' request for rulemaking or to adopt any of the Chairman's recommendations. Neither has the Commission made any changes in response to Governor Blunt's call for the Commission "to immediately examine their policies on conflicts of interest including inappropriate contact with executives in cases before the commission."

4. The need for action is clear and the Commission's delay only further undermines the public's confidence in the Commission's processes. The Commission may not agree with all of Petitioners' proposed amendments, but it should propose a rule for public comment that – at a minimum – makes it clear that utilities or other parties cannot lobby Commissioners before filing cases for Commission decision, and that meetings with parties or prospective parties about issues that are before the Commission or will come to the Commission for decision must be open to all interested entities and must be transcribed or recorded.

WHEREFORE, Petitioners respectfully request that the Commission institute a rulemaking for the purpose of making the suggested modifications to Commission Rule 4 CSR 240-4.020.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 8th day of April 2008:

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