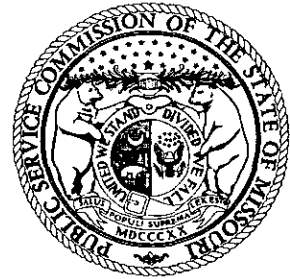


Notice of *Ex Parte* Contact

TO: Data Center
All Parties in Case No. EA-2006-0309

FROM: Chairman Jeff Davis
Commissioner Connie Murray
Commissioner Robert Clayton
Commissioner Lin Appling



DATE: February 17, 2006

On February 17, 2006 we received the attached document via electronic mail from Ms. Cindi L. Mayer regarding Aquila. The Commission is currently considering the issues discussed in this document in case EA-2006-0309 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, 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: Commissioners
Executive Director
Secretary/Chief Regulatory Law Judge
General Counsel

Finnell, Kay

Subject: FW: case EA-2006-

Attachments: "AVG certification"

From: Keith Mayer [mailto:kmayer@casstel.net]

Sent: Friday, February 17, 2006 10:56 AM

To: Clayton, Robert; Appling, Linward (Lin); Murray, Connie; PSC Info (Public Info Email Address) - PSC; Davis, Jeff

Subject: case EA-2006-0309

This letter is in reference to case # EA-2006-0309.

Dear PSC,

I feel that it is inappropriate to order a deadline date (February 22) for objecting to Aquila's expedited schedule before the DEADLINE date (February 27) for intervention. Are you trying to keep the citizens from having their DUE PROCESS? Is this another one of Aquila's maneuvers to beat the rules? Let's all try to play fair. That is all any of us are asking for. Please review this bad decision and consider correcting it.

Sincerely,

Cindi L. Mayer

3/9/2006