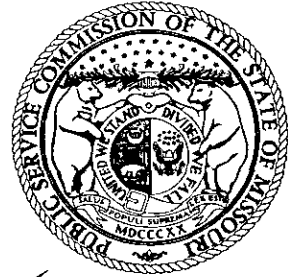


## Notice of *Ex Parte* Contact

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

FROM: Chairman Jeff Davis  
Commissioner Connie Murray  
Commissioner Steve Gaw  
Commissioner Robert M. Clayton III  
Commissioner Lin Appling



DATE: March 16, 2006

On March 14, 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  
General Counsel

-----Original Message-----

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

**Sent:** Tuesday, March 14, 2006 10:19 AM

**To:** Julie.L.Noonan@mail.sprint.com; della.january@uug.com; PSC Info (Public Info Email Address) - PSC; Davis, Jeff; Murray, Connie; Appling, Linward (Lin); Clayton, Robert; Gaw, Steve; Lera.Schemwell@psc.mo.gov

**Subject:** Case ea-2006-0309

This E-Mail is for the PSC Staff, specifically Lera Schemwell. In the Suggestions for Opposition of the Cass County Parties Procedural Schedule You cited the Appeals case of Stop Aquila vs Aquila. That case was actually Cass County vs Aquila. You really should get your parties straight. That case was CV104-1443CC. Stop Aquila case CV104-1380CC was severed from that case. Stop Aquila is listed as an interested party.

Thank You  
Cindi L. Mayer