

NOTICE

TO: Data Center
All Parties in Case No. **EO-2008-0134**

FROM: Chairman Jeff Davis

DATE: January 17, 2008



I received the attached correspondence from Mark Petty, Electric Director for the City of Kirkwood. Since the correspondence relates to this case, **EO-2008-0134**, and it is a contested case, 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: Commissioners
Executive Director
Secretary/Chief Regulatory Law Judge
General Counsel

Gregory, Sheryl

From: Davis, Jeff
Sent: Thursday, January 17, 2008 2:30 PM
To: Mark Petty
Cc: Gregory, Sheryl
Subject: RE: Ameren and a potential pull out from MISO

Dear Mark,

Thank you for your correspondence regarding this matter. By copy of this e-mail, I'm asking my assistant Sheryl Gregory to file this communication in the referenced case as an ex-parte communication.

This case was discussed at the Commission's agenda meeting on January 15, 2008, and I believe there will be an order on for the Commission to discuss in the next week or two that may afford you the opportunity to comment on this matter.

Please note that to fully participate in this matter Commission rules may require the City of Kirkwood to be represented by legal counsel.

Sincerely,

Jeff Davis

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

From: Mark Petty [mailto:Pettyma@kirkwoodmo.org]
Sent: Thursday, January 17, 2008 2:15 PM
To: Davis, Jeff
Subject: Ameren and a potential pull out from MISO

As I understand it, Ameren is thinking about leaving MISO and had made some interesting comments about what they may do in the future. (AmerenUE's application for continued participation in MISO for 3 more years (Docket No. EO-2008-0134)). Any chance we can comment on that?

Mark Petty, PE
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