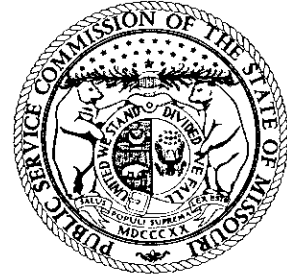


Notice of *Ex Parte* Contact

TO: Data Center:
All Parties in Case No. **ER-2007-0004**
All Commissioners

FROM: Commissioner Robert Clayton
Commissioner Steve Gaw

DATE: February 22, 2007



On February 13, 2007, we received an e-mail from Ms. Cindi Mayer regarding her dissatisfaction with the recent rate increase that Aquila has requested. The Commission is currently considering the issues discussed in this document in Case No. **ER-2007-0004**, 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), 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

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

Sent: Tue 2/13/2007 3:16 PM

To: Stephenson, Natalie S [IT]; Julie.L.Noonan@mail.sprint.com; della.january@uug.com; Gaw, Steve; Clayton, Robert; Appling, Linward (Lin); Davis, Jeff; Murray, Connie

Subject: er-2007-0004 Aquila rate increase request

This letter is in reference to Case number ER-2007-0004. Please see attached.

Thank you,

Cindi Mayer

Dear Commissioners,

I am writing this letter to voice my opinion against the recent rate increase that Aquila has asked for. I spoke at the public hearing in Lee's Summit and voiced my opinion then. Since then a few things have come to light that have solidified my opinion even more.

First is the way Aquila tried to deny the Citizens of Cass County out of 2.5 million dollars of tax money. How shameful! During all of the research and litigation involving the South Harper plant it came to light that the turbines had been stored in Pleasant Hill for 2 years. Kudos to Debbie Moore and Gary Mallory for pursuing those taxes. Now Aquila wants a rate increase from the very same people they tried to cheat out of tax money! I don't think so!

Second is the way Aquila has tried to deny the City of Peculiar out of pilot payment money that was owed to them. The lease agreement Aquila made with the City of Peculiar infers that the City must pursue any litigation that involves the lease and issuance of the Chapter 100 bond that Aquila deems necessary. The lease also infers that Aquila will pay for the litigation fees. Aquila tried to subtract \$175,000 of litigation fees from the last pilot payment. They seem to try every trick in the book. Again, these are the same people that Aquila is asking for a rate increase from. They are trying to take anywhere they can!

Third is the South Harper fiasco. What a mess! Do you think maybe Aquila is asking for a 22% rate increase to try to recoup some of their complete mismanagement of this cock-up? KCP&L just asked for an 8% increase. They are in the same market, how come they don't seem to need as much? Do you think it may be better management? The papers have announced that the parent company of KCP&L is trying to purchase Aquila, I sure hope they get it. That would sure be a good thing for Aquila's rate payers. Why would you even consider giving Aquila a rate increase? The current management would just abuse it. Please, for once use your heads and deny Aquila their requested rate increase.

Cindi L. Mayer
10501 E. 235th St.
Peculiar, Mo. 64078
816-779-0800