

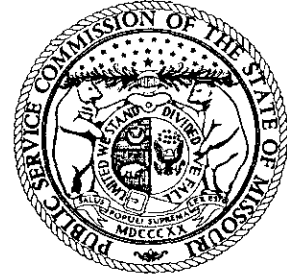
Notice of *Ex Parte* Contact

TO: Data Center
All Parties in Case No. **ER-2007-0002**

FROM: Commissioner Robert M. Clayton



DATE: February 5, 2007



On January 31, 2007, I met with Gary Rainwater, Tom Voss and Joe Bednar, attorney for AmerenUE, regarding AmerenUE's efforts and plans to improve electric reliability and storm outage response. We discussed AmerenUE's performance relating to tree trimming, general infrastructure maintenance and customer service. We also discussed the pending rulemaking proceeding which has not yet been docketed.

The Commission is currently considering some of these issues in case ER-2007-0002 which is a contested case. While there is an indirect relationship between these issues and the rate case, we did not discuss any specific issue directly related to their pending rate case. In contested cases, the Commission is bound by the same *ex parte* rule as a court of law and, out of an abundance of caution, the parties should be made aware of the conversation.

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, I 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