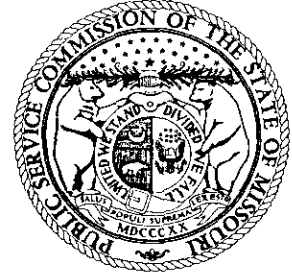
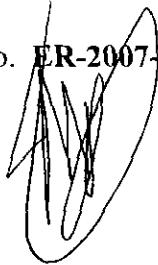


Notice of *Ex Parte* Contact

TO: Data Center
All Parties in Case No. **ER-2007-0291**

FROM: Chairman Jeff Davis

DATE: December 21, 2007



Today, I e-mailed Matt Barnes, the PSC Staff witness in case, **ER-2007-0291**. Attached is a copy of that e-mail and since this matter is a contested case and, therefore, the Commission is bound by the same *ex parte* rule as a court of law. Accordingly, I am making notice to the parties this communication has been sent.

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: Friday, December 21, 2007 2:13 PM
To: Barnes, Matthew
Cc: Bible, Ron; Schallenberg, Bob; Henderson, Wess; Gregory, Sheryl
Subject: Testimony in Case No. ER-2007-0291

Dear Matt,

Now that the KCP&L rate case is closed, I did want to tell you that I thought you did a good job providing the ROE testimony in the case and even though I didn't follow your recommendation, I found your testimony credible and I do appreciate the wide range of options you gave us.

Unrelated to this case, I did recommend to Wess Henderson that I thought you ought to go to one of the rate schools sponsored by NARUC or whomever. I attended the one sponsored by NARUC this past year and while I didn't necessarily agree with everything that was said, I certainly got a lot of worthwhile information out of it and I think that experience could help you in the future. I know you have a family and that being gone for a week could be hard on them, but I want you to know you have my support in terms of both time and agency resources if you can find time to attend one and wish to do so.

Thank you for your consideration in this matter, for all your hard work and have a merry Christmas.

Sincerely,

Jeff Davis