

**SERVICE LIST FOR
CASE NO: TW-97-333**

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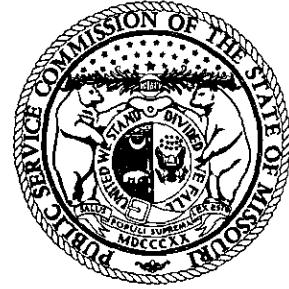
Notice of *Ex Parte* Contact

FILED
JAN 15 1998
MISSOURI
PUBLIC SERVICE COMMISSION

TO: Records Department: All Parties in Case No. TW-97-333
All Commissioners

FROM: Chairman Sheila Lumpe

DATE: January 15, 1998



On **January 14, 1998**, I received the attached document from **Paul Fennewald**. The Commission is currently considering the same issues as to those set out in this document in Case No. **TW-97-333**. The Commission is bound by the same *ex parte* rule as a court of law.

Pursuant to 4 CSR 240-4.020(4) it is improper for any person to attempt to sway the judgement of the Commission by undertaking, directly or indirectly, outside the hearing process, to bring pressure or influence to bear upon the Commission, or the Regulatory Law Judge assigned to the proceeding.

Whenever such contact might occur 4 CSR 240-4.020(a) states: as *ex parte* communications (either oral or written) may occur inadvertently, any member of the Commission or Regulatory Law Judge who received the communication shall immediately prepare a written report concerning the communication and submit it to the Chair and each member of the Commission. 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, out of an abundance of caution, I think it appropriate to submit this notice of *ex parte* contact pursuant to the standards set out in 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: Executive Director
Secretary/Chief Regulatory Law Judge
General Counsel

January 13, 1998

Sheila Lumpe
Chairman
Missouri Public Service Commission
Truman Building, Room 360
Jefferson City, Missouri 65102-0360

RECEIVED

JAN 14 1998

Dear Ms. Lumpe:

CHAIRMAN'S OFFICE

By way of background, I work in federal law enforcement in Jefferson City, and my wife is an elementary school teacher in California, Missouri. We live on a farm that is approximately 10 miles north of California, Mo. While we have a mailing address of California, and our children attend the California schools, we live approximately 300 yards north of a section line that is the determining factor which telephone company provides our service. GTE, Jamestown, Mo. is our telephone company.


Prior to the recent flap in the newspaper re Community Optional Service (COS), neither myself or my wife were aware such a service existed. We have two teenage children who attend school in California, Mo. In addition to their calling their friends, we also incur additional telephone expenses with my wife calling her pupil's parents. Also, any parent that wants to call my wife to discuss their child's education must incur a long distance expense.

Because of the above, on August 9, 1994, I wrote both GTE and United telephone which is the company that services California, Mo., asking that they consider jointly petitioning the Missouri Public Service Commission to "re-map" the service area, to allow us to go to the California exchange. (copy of both letters attached). To date, I have not received a reply from either company re this request.

While I can understand that neither company would want to go to the above trouble for one customer, I am upset that neither company at the time contacted us to let us know that "COS" was available to address this type of problem. It has been pointed out in the newspaper that one of the reasons that system is being allowed to discontinue, is low usage. I personally feel the main reason there is low usage, is that the telephone companies fail to let their customers know this service exist. Had I know this service existed, I would have sought to obtain this service several years ago, possibly saving myself hundreds of \$\$ over the past several years.

As a citizen and taxpayer of Missouri, I ask that you re-consider the PSC position on allowing telephone companies to discontinue the COS program.

Sincerely,


Paul H. Fennewald
23251 Indian Springs Road
California, Mo. 65018

(660) 849-2375

cc: Dennis Vanderbur
Area Manager
United Telephone
Jefferson City

cc: Mike Hoover
District Manager
GTE
Columbia

cc: Senator Larry M. Rohrbach

cc: Representative Larry Crawford

Dennis Vanderbur
Area Manager
United Telephone Company
P.O. Box 689
Jefferson City, Missouri 65102

August 9, 1994

Dear Sir:

This letter is a formal request for consideration for your telephone company to jointly petition the Missouri Public Service Commission to "re-map" your service area in order for our residence to be served by United Telephone Company, in the "796" (California, Missouri) exchange.

By way of background, our residence in Moniteau County lies approximately 2/10 of a mile north of the east-west line that borders between section 16/17 and 21-22, Township 46 North, Range 15 West of the 5th P.M. (see attached legal description). Per the Missouri Public Service Commission, the east-west line that borders between section 16-17 and 21-22 is the boundary line with GTE servicing residences to the north of that line, and United Telephone serving residences to the south of that line.

We are currently served by GTE, and subscribe to telephone number (816) 849-2375. We have no complaints concerning this service. All aspects of the service is excellent.

The reason for this request is as follows:

My wife, Beth, is a public school teacher, teaching 5th grade at California Elementary School. As such, she makes every effort to be accessible to the students and their parents after school hours and on weekends. The telephone is the primary means by which parents can contact her to discuss their children. Since the majority if not all of the students live in the "314 area code, 796- exchange", it places an additional financial burden on those parents to place a long distance telephone call to talk to their child's teacher.

Additionally, since there are 3 other 5th grade teacher at the California Elementary School, and they all reside in the "796" exchange, it is a burden on both them and us for Beth to maintain close contact with them in planning classroom activities, coordinating teaching plans, etc., when the telephone is again the primary means for this contact.

Also, the majority if not all of the social friends of our two minor sons reside in the "796-" exchange, and it is again a financial burden on both us and our son's friends for them to use the telephone and talk, as most children do.

Last but not least, in my position as a Special Agent with the Federal Bureau of Investigation, the majority of the area in which I work is located in the "314" area code. My office is

located in Jefferson City. It is again both inconvenient and financially a burden to use the telephone to remain accessible to the other Agents I work with, who all reside in area code "314", and other law enforcement officers and agencies whom I routinely use the telephone to contact both in the evenings and on weekends.


Our residence is located on the south side of the Moniteau Creek. The Moniteau Creek is a natural boundary line of sorts, and all of our neighbors who reside on the south side of the Moniteau Creek are serviced by United Telephone.

As we reside only approximately 2/10 of a mile across the boundary line, in a rural area where there are no other residences affected by any change of boundary in our immediate area, it would not appear to cause a lot of trouble or cost of money to change the area servicing our residence.

We ask that you consider jointly petitioning the Missouri Public Service Commission with GTE for the necessary service area mapping change, and allow us to change our telephone service to United Telephone, if in fact United Telephone is willing to extend and assume our service.

Thank you for your consideration in this matter. I can be contacted at (314) 635-7014 daytime, and at (816) 849-2375 evenings. If you or your representative have any questions or suggestions in this matter, please contact me.

Sincerely,


Paul H. Fennewald
Route 2, Box 2366
California, Missouri

CC: GTE

Mike Hoover
District Manager
GTE
P.O. Box 717
625 Cherry Street
Columbia, Missouri 65205

August 9, 1994

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We ask that you consider jointly petitioning with United Telephone Company for the necessary service area mapping change, and allow us to change our telephone service to United Telephone, if in fact United Telephone is willing to assume our service, and jointly petition with GTE to the Missouri Public Service Commission for this change.

Thank you for your consideration in this matter. I can be contacted at (314) 635-7014 daytime, and at (816) 849-2375 evenings. If you or your representative have any questions or suggestions in this matter, please contact me.

Sincerely,

Paul H. Fennewald
Route 2, Box 2366
California, Missouri

CC: United Telephone



Commissioners

SHEILA LUMPE
Chair

HAROLD CRUMPTON

CONNIE MURRAY

M. DIANNE DRAINER
Vice Chair

Missouri Public Service Commission

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Executive Secretary

WESS A. HENDERSON
Director, Utility Operations

GORDON L. PERSINGER
Director, Advisory & Public Affairs

ROBERT SCHALLENBERG
Director, Utility Services

DONNA M. KOLILIS
Director, Administration

DALE HARDY ROBERTS
Chief Administrative Law Judge

DANA K. JOYCE
General Counsel

January 15, 1998

Paul H. Fennewald
23251 Indian Springs Road
California, MO 65018

Dear Mr. Fennewald:

The Commission appreciates knowing your opinion.

This case is an open case, so I cannot comment on it. Your letter will be shared with all the Commissioners and be placed in the official file so all the parties can view it.

Thank you for taking the time to write.

Sincerely,

A handwritten signature in cursive script that reads "Sheila Lumpe".

Sheila Lumpe

cc: Commissioners

**STATE OF MISSOURI
OFFICE OF THE PUBLIC SERVICE COMMISSION**

**I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 16th day of January, 1998.**



Dale Hardy Roberts

**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**