

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

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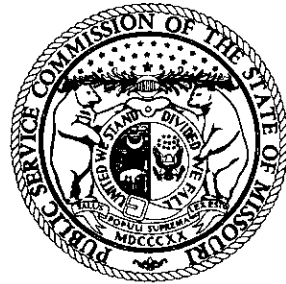
Notice of *Ex Parte* Contact

FILED
JAN 13 1998
MISSOURI
PUBLIC SERVICE COMMISSION

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

FROM: Chairman Sheila Lumpe

DATE: January 13, 1998



On **January 7, 1998**, I received the attached document from **Steve May (via Mike Benzen, Office of Information Technology)**. 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

From: MOPSC.STATEMAIL."OITMAIL.BENZEM"
To: MOPSC.JC(LUMPES)
Date: 1/7/98 9:08am
Subject: FW:

From: "Benzen, Mike" <Benzem@mail.oit.state.mo.us>
To: "Lumpe, Sheila" <LUMPES.MOPSC@oahost.state.mo.us>
Date: Wed, 7 Jan 1998 09:18:23 -0600
Subject: FW:

Sheila-

Could you have someone from your staff respond to this gentleman?

Mike

Mike Benzen, CIO
Missouri Office of Information Technology
(573) 526-7741
(573) 526-7747 FAX
benzem@mail.oit.state.mo.us
<http://www.state.mo.us/oit/oit.htm>

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

From: Steve & Helen May [SMTP:shatmay@dialnet.net!]
Sent: Tuesday, January 14, 1997 10:05 PM
To: Benzen, Mike
Subject:

Hello,

My name is Steven E. May. I live in Verona MO. I am writing you today in regard to the Missouri public service commissions decision to end community optional telephone service, known as COS, march 31st. This concerns me greatly. As a rural Missouri, the COS plan is the only affordable way I can maintain a Internet connection. With out COS, all my Internet time would be a long distance call. Which in turn would mean the Internet would no longer be available to me and thousands of other rural Missourians. As a father of two children, I regard the Internet as a great educational tool. My children use the Internet to research school projects and to learn more about the world around them. In my opinion, it would be a terrible blow to their education if we lost our Internet connection. I also feel that we should not be denied such a valuable educational tool, as the Internet, simple because we live in rural Missouri.

Please take the time to look into this matter. It will unfairly deny Internet access to thousands of rural Missourians.

Sincerely, Steven E. May

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Sincerely, Steven E. May

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size=2>
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**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 14th day of January, 1998.



Dale Hardy Roberts

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