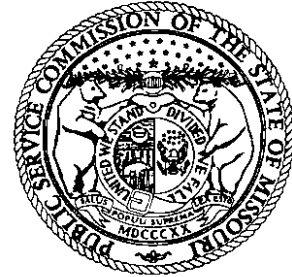


Notice of *Ex Parte* Contact

TO: Records Department:
All Parties in Case No. **IR-2004-0272**
All Commissioners

FROM: Commissioner Robert M. Clayton III *RC*

DATE: March 18, 2004



On March 18, 2004, the attached letter was received from Jim Cunningham. The Commission is currently considering the issues discussed in this document in Case No. **IR-2004-0272** and is bound by the same *ex parte* rule as a court of law.

Although communications from the Company or the public 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 substance of the communication and the relationship of the communication to a particular matter at issue before the Commission.

Therefore, this report is submitted 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: Executive Director
Secretary/Chief Regulatory Law Judge
General Counsel



Commissioners

STEVE GAW
Chair

CONNIE MURRAY

ROBERT M. CLAYTON III

Missouri Public Service Commission

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ROBERT J. QUINN, JR.
Executive Director

WESS A. HENDERSON
Director, Utility Operations

ROBERT SCHALLENBERG
Director, Utility Services

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

March 19, 2004

Jim Cunningham
64 North Clark Street
Sullivan, MO 63080

Dear Mr. Cunningham:

I am in receipt of your letter concerning your customer, James Lux.¹

Thank you for the update and clarification on the Quality of Service problems explained by Mr. Lux.

Quality of Service is an important issue to the Commission and I will share your response with my colleagues.

Thank you very much for your attention to this important matter.

Very truly yours,

A handwritten signature in black ink, reading "Robert M. Clayton III".

Robert M. Clayton III
Commissioner

RMC/dp

¹ Because Case No. IR-2004-0272 is an open case before the Commission your letter will be filed in the case file so that all parties to the case will have a full and fair opportunity to respond to the comments contained in your letter.