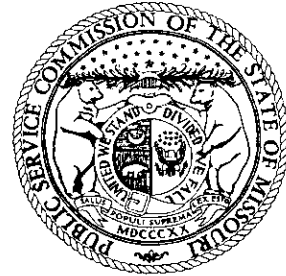


## Notice of *Ex Parte* Contact

TO: Data Center  
All Parties in Case No. **ER-2007-0002**  
**GR-2007-0003**

FROM: Chairman Jeff Davis

DATE: January 18, 2008



On January 18, 2008, I received the attached message from Sharon Drattlo. These cases, **ER-2007-0002 and GR-2007-0003**, were contested cases 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 received.

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