

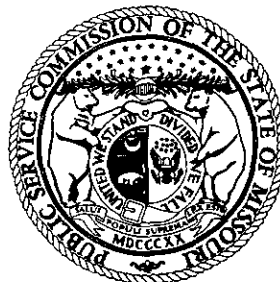
## Notice of *Ex Parte* Contact

**FILED**  
DEC 23 1998  
Missouri Public  
Service Commission

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

FROM: Chairman Sheila Lumpe

DATE: December 23, 1998



On **December 11, 1998**, I received the attached document from **Robert Hutchings**. 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



Commissioners

SHEILA LUMPE  
Chair

HAROLD CRUMPTON

CONNIE MURRAY

ROBERT G. SCHEMENAUER

M. DIANNE DRAINER  
Vice Chair

## Missouri Public Service Commission

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GORDON L. PERSINGER  
Director, Advisory & Public Affairs

ROBERT SCHALLENBERG  
Director, Utility Services

DONNA M. KOLILIS  
Director, Administration

DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE  
General Counsel

December 23, 1998

Robert Hutchings  
227 Schindler Road  
Augusta, MO 63332

Re: Community Optional Service

Dear Mr. Hutchings:

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  
Senator Ted House



**MISSOURI SENATE**  
JEFFERSON CITY

**TED HOUSE**  
SENATOR, SECOND DISTRICT  
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AND MONTGOMERY COUNTIES  
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PARKS AND TOURISM

December 2, 1998

Ms. Sheila Lumpe, Chair  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

In response, please refer to 98-243C

Dear Ms. Lumpe:

I was recently contacted by Mr. Bob Hutchings of Augusta, Missouri regarding some concerns he has about the commission's decision to eliminate the COS program for the residents in the Augusta area. I have enclosed a copy of the letter Mr. Hutchings sent me for your review.

I would appreciate any assistance you could provide Mr. Hutchings in seeing that the commission addresses his concerns.

Please feel free to contact me should you have any questions relating to this matter. I look forward to hearing from you soon.

Sincerely yours,

A handwritten signature in black ink that reads "Ted House". The signature is stylized with a long horizontal line extending from the left.

TED HOUSE  
State Senator

TCH/cm  
Enclosure

cc: Mr. Bob Hutchings

Date: Tue, 01 Dec 1998 20:56:53 -0600  
From: Robert Hutchings <hutchb@swbell.net>  
To: Ted House <thouse@services.state.mo.us>  
Subject: COS Program Elimination  
X-UIDL: 73a469f3371945b36b76516a6305eaal

Honorable Ted House

I am writing to voice my anger, frustration and disappointment in the Public Service Commission's decision to eliminate the COS program for those of us in Augusta and other rural areas.

That any clear thinking individual can justify in her/his mind that the elimination of the COS program will result in more competition in this or other sparsely populated areas shatters my faith in the human intelligence. All it will do is rob the people of the opportunity for fair and realistic costs of phone service and the use of the ever increasing important internet. Such has always been the fate of rural areas and it appears the beaurocrats will continue that attitude. What a shame!

How ironic to read in yesterday's St. Charles County Post that the discontinuation of the program will increase competition in the rural areas. As I stated some months ago, and it remains the status quo, phone calls to other long distance providers have confirmed they are not planning to service these areas as the concentration of potential customers does not warrant consideration. That shouldn't surprise even those of us with less than college degrees. But if the commission really wants to spur competition, why will the extended service customers in St. Peters and St. Charles be excluded from the elimination? Could it be that the backlash from those heavily populated areas and their political supporters would be less than desirable to and unpleasant for the commission? Nah.

The really sad part of this situation is that we in the rural areas can do absolutely nothing about these decisions. We have such a small voice in the political process and most politicians know that only too well.

Thank you for the opportunity to voice my concern.

Bob Hutchings  
Augusta MO. *277 Schindler Rd*  
*6332*