
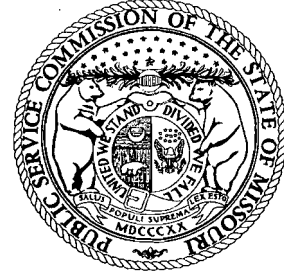


Notice of *Ex Parte* Contact

TO: Data Center
All Parties in Case No. **ER-2010-0036**

FROM: Mark Hughes 

DATE: October 26, 2009



On Wednesday, October 21, 2009, I received the attached electronic mail message from Diana Vuylsteke. Please note that I was on annual leave October 22-23, 2009. This case, **ER-2010-0036**, is a contested case. The Commission is bound by its *ex parte* rule, and, I am therefore giving 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 from any person interested in a case (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

Gregory, Sheryl

From: Hughes, Mark
Sent: Monday, October 26, 2009 8:47 AM
To: Gregory, Sheryl
Subject: FW: ER-2010-0036 MIEC's first data request to Staff
Attachments: ER-2010-0036 MIEC 1st DR to Staff_v1.pdf

Sheryl, this is the information I received on Wednesday on which I need to file a Notice of Ex Parte Communication. Thanks, MDH.
(Not sure, but we may want to note that I was on annual leave Thursday and Friday). -- MDH

Mark D. Hughes
Adviser to Commissioner Davis
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mark.hughes@psc.mo.gov

From: Nowack, Laurie A. [mailto:Laurie.Nowack@BryanCave.com] **On Behalf Of** Vuylsteke, Diana M.
Sent: Wednesday, October 21, 2009 2:04 PM
To: EFIS Messenger; AmerenUEService@ameren.com; clumley@lawfirmemail.com; comley@ncrpc.com; dhealy@mpua.org; Vuylsteke, Diana M.; dwoodsmall@fcplaw.com; hrobertson@greatriverslaw.org; hunt.brown@chartercom.com; jdeutsch@blitzbardgett.com; jheckler@levincap.com; john@johncoffman.net; johndodge@dwt.com; Thompson, Kevin; kokeefe@lawfirmemail.com; lcurtis@lawfirmemail.com; llangeneckert@sandbergphoenix.com; lobb@smithlewis.com; lowery@smithlewis.com; mevans@hammondshinners.com; moretailers@aol.com; mpendergast@lacledegas.com; opcservice@ded.mo.gov; ppatterson2@nyc.rr.com; rishi.modi@mlp.com; rzucker@lacledegas.com; sarah.mangelsdorf@ago.mo.gov; saschroder@hammondshinners.com; Woods, Shelley; stucon@fcplaw.com; tglick@dmfirm.com; tschwarz@blitzbardgett.com; Mckinnie, Adam; Rice, Arthur; Schnieders, Carla; Voss, Cherlyn; Dale, Cully; Murray, David; Roos, David; Carafeno, Dawn; Steck, Deborah; Dearmont, Eric; Fred, Gay; Gilbert, Guy; Dodson, Jan; Wheeler, Janet; Hernandez, Jennifer; Cassidy, John; Rogers, John; Finnell, Kay; Thompson, Kevin; Happy, Kim*; Boateng, Kofi; Ferguson, Lisa; Kremer, Lisa; Hughes, Mark; Barnes, Matthew; Anderson, Melissa*; Woodruff, Morris; Williams, Nathan; Senn, Nikki; Moore, Richard; Grissum, Roberta; Kliethermes, Sarah; Wiles, Sharon; Gregory, Sheryl; Dottheim, Steve; Rackers, Steve; Mankin, Suzie; Kenney, William; AmerenUEService@ameren.com; lowery@smithlewis.com; mhoyt@ameren.com
Subject: ER-2010-0036 MIEC's first data request to Staff

Attached for service, please find MIEC's first data request to staff. Thanks, Diana.

Diana Vuylsteke
Bryan Cave LLP
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314-259-2543
cell 314-303-8770

This electronic message is from a law firm. It may contain confidential or privileged information. If you received this transmission in error, please reply to the sender to advise of the error and delete this transmission and any

10/26/2009

attachments.

IRS Circular 230 Disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

**AmerenUE
Case No. ER-2010-0036**

**Missouri Industrial Energy Consumers'
First Set of Data Requests to
Missouri Public Service Commission Staff**

<u>Item No.</u>	<u>Description</u>
MIEC-Staff-1-1.	MIEC requests that the Staff coordinate and collaborate with the experts of MIEC, who have executed the non-disclosure agreement in this proceeding, in the development of a Real-Time production cost model database that produces results very close to AmerenUE's revenue requirement PROSYM runs for this proceeding when the assumptions input into the Real-Time production cost model are similar to those input by AmerenUE into its PROSYM runs.
MIEC-Staff-1-2.	MIEC requests that Staff, subject to the non-disclosure agreement in this proceeding, share with MIEC's experts the electronic Real-Time production cost input and output files associated with the Real-Time production cost model database developed to verify the Real-Time production cost model can produce results very close to AmerenUE's revenue requirement PROSYM runs for this proceeding when the assumptions input into the Real-Time production cost model are similar to those input by AmerenUE into its PROSYM runs.
MIEC-Staff-1-3.	MIEC requests that Staff meet with MIEC's experts, who have executed the non-disclosure agreement in this proceeding, as necessary to accomplish the coordination and collaboration requested in Data Request MIEC-Staff-1-1.

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