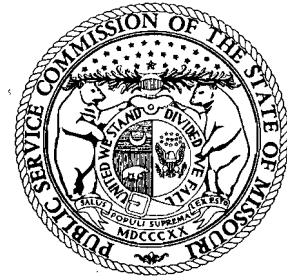


Notice of *Ex Parte* Contact

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

FROM: Jeff Davis
Commissioner

DATE: February 2, 2010



To the extent George R. Gholston, Jr. who initiated this contact by the attached electronic mail message on Friday, January 29, 2010, with this Commissioner is a member of the public, or a ratepayer of AmerenUE, and thus represented by the Office of the Public Counsel, this individual has party status in this matter and this notice is properly categorized as a notice of *ex parte* contact. 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: Davis, Jeff
Sent: Friday, January 29, 2010 1:31 PM
To: Gregory, Sheryl
Subject: FW:

Attachments: The Substation Incident.wps

Can you have Daniel look at this and tell me what it is?

JND

From: George Gholston Jr. [mailto:geodar46@sbcglobal.net]
Sent: Friday, January 29, 2010 1:10 PM
To: Davis, Jeff
Subject:

2/2/2010

There were two electrical outages to the south eastern section of the Cross Keys Shopping Center in Florissant at the intersections of New Halls Ferry Road and North Lindbergh within a one week period. These electrical outages included service to Home Depot, Office Max, Schnucks Supermarket, Marshalls, Chill's Grill and Bar and numerous smaller commercial customers of AmerenUE. These outages also included residences behind the shopping center that were apart of the same AmerenUE electrical grid. The first outage occurred on Tuesday, January 19, 2010 between 7:30a.m. and 8:00a.m. and lasted approximately five minutes. The second outage that affected this same electrical grid occurred on Saturday, January 23, 2010 between 7:30p.m. and 8:40p.m.. I believe that an investigation should be launched to clear-up some unanswered questions. They are:

1. Was there an AmerenUE employee at the AmerenUE electrical substation north of the Commerce Bank and south of the Firestone Tire Store on north Lindbergh Blvd prior the outages?
2. If there was an AmerenUE employee at the AmerenUE substation prior to the outages in question then what role did this person play and is there a correlation between the AmerenUE employee's arrival time and the outages in question?
3. Under what circumstances was this individual at this substation?
4. Does verifiable documentation such as a trouble ticket exist or was scheduled routine maintenance being performed or, was it a coincidence that this individual was there?
5. What caused the outages?

6. What was done to correct the outages?

These outages could be innocent coincidences except for AmerenUE's reputation. I do not wish to vilify AmerenUE and they certainly should be afforded due process, but I also believe that AmerenUE should provide answers on the record.

At the outage on Saturday, January 23, 2010 I was in the Office Max store preparing to checkout when power was lost. I questioned the Office Max employees about the frequency of electrical outages, the cost to there company and the inconvienience to their customer's including myself. I drove around the outage area after I left the Office Max store and I did not see any AmerenUE vehicles until I stopped at the Commerce Bank's parking lot outside the AmerenUE substation. About 15-20 minutes after I parked there, the AmerenUE employee exited the substation after miraculously restoring service. Behind me were bank security cameras that may have video taped evidence of this incident that could be used to verify AmerenUE's answers to this and other outages, the time-line for these outages and provide empirical data that shows what could be causing these outages.

Sincerely,

George R. Gholston, Jr.