

Missouri Code of State Regulations Currentness

Title 4 - Department of Economic Development

Division 240 - Public Service Commission

Chapter 4 - Standards of Conduct

4 Mo. Code of State Regulations 240-4.020

4 CSR 240-4.020 Ex Parte Communications

*PURPOSE: To set forth the standards to promote the public trust in the commission with regard to pending filings and cases. This rule regulates communication between members of the office of the commission and parties regarding substantive issues.*

(1) Neither any party nor any member of the office of the commission shall initiate, participate in, or undertake, directly or indirectly, an *ex parte* communication.

(A) If such a communication occurs, the party and the member of the office of the commission involved in the communication should immediately terminate the communication.

(2) A party or member of the office of the commission who initiates an *ex parte* communication shall, within one (1) business day, following such communication give notice of that communication as follows:

(A) If the communication is written, the initiating party shall file a copy of the written communication in the official case file for the discussed case; or

(B) If the communication is not written, the initiating party shall file a memorandum disclosing the communication in the official case file for each discussed case. The memorandum must contain a list of all participants in the communication; the date, time, location, and approximate duration of the communication; the means by which the communication took place; and a summary of the substance of the communication and not merely a listing of the subjects covered. Alternatively, a recording or transcription of the communication may be filed, as long as that recording or transcription indicates all participants and the date, time, location, approximate duration, and means of communication.

(3) If an *ex parte* communication occurs and the initiating party fails to file a notice in the manner set forth in section (2), any other party or member of the office of the commission involved in the communication, upon learning of the person's failure to file such notice, shall give notice of the *ex parte* communication in the manner set forth in section (2) as soon as practicable but no later than three (3) days later.

(4) The commission may issue an order to show cause why sanctions should not be ordered against any party engaging in an *ex parte* communication.

*AUTHORITY: section 386.410, RSMo 2016. [FNa] Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. Amended: Filed April 26, 1976, effective Sept. 11, 1976. Rescinded and readopted: Filed Nov. 4, 2009, effective July 30, 2010. Rescinded and readopted: Filed Nov. 28, 2016, effective July 30, 2017.*

[FNa]

. *Original authority: 386.410, RSMo 1939, amended 1947, 1977, 1996.*

Current through February 28, 2019

4 Mo. Code of State Regulations 240-4.020, 4 MO ADC 240-4.020

---

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.