

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

Doris House,)	
)	
Complainant,)	
)	
v.)	<u>Case No. GC-2007-0451</u>
)	
Laclede Gas Company,)	
)	
Respondent.)	

ORDER DIRECTING FILING

Issue Date: August 6, 2007

Effective Date: August 6, 2007

Doris House filed a formal complaint against Laclede Gas Company on May 29, 2007. Ms. House's complaint alleges that Laclede has improperly billed her for gas usage, improperly relied on estimated billing to her financial detriment, and was negligent in failing to correct problems with its remote reader.

Laclede filed its Answer on July 5, 2007. The answer denies many of Ms. House's allegations. Laclede states that it has followed its tariffs as well as Commission rules and regulations and that it took all appropriate actions to correct a remote reader issue.

Staff filed its verified report on July 31, 2007. In particular, Staff concluded that Laclede did not violate any Commission rule or its filed tariffs for the billings rendered to Ms. House. Therefore, Staff recommends the complaint be dismissed.

At this stage of this case, Ms. House has not stated any facts upon which the Commission could conclude that Laclede has violated its approved tariff, applicable

Commission rules, or Missouri statutes. Therefore, the Commission would like to hear from Ms. House before deciding whether to accept the recommendation of its Staff that the case be dismissed. Accordingly, Ms. House will be given 20 days from the date of this order to file her response addressing the statements contained in Laclede's answer and Staff's report in this matter and setting forth the legal or factual reasons why she agrees or disagrees with those statements. (Attached to this order is a letter further explaining this process and providing other helpful information.)

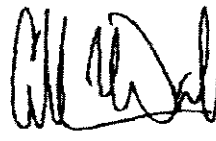
If no response is received, the Commission may make its decision based on the current documents and recommendations before it.

IT IS ORDERED THAT:

1. Doris House shall file a response, by not later than 5:00 p.m. on Thursday, August 27, 2007, which addresses the statements contained in Laclede Gas Company's answer and Staff's report in this matter and sets forth the legal or factual reasons why she agrees or disagrees with those statements.

2. This order shall become effective on August 6, 2007.

BY THE COMMISSION

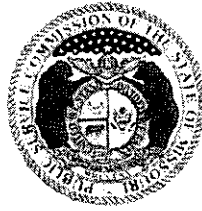


Colleen M. Dale
Secretary

(S E A L)

Cherlyn D. Voss, Regulatory Law Judge,
by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 6th day of August, 2007.



Commissioners

JEFF DAVIS
Chairman

CONNIE MURRAY

STEVE GAW

ROBERT M. CLAYTON III

LINWARD "LIN" APPLING

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.mo.gov>

WESS A. HENDERSON
Executive Director

DANA K. JOYCE
Director, Administration

ROBERT SCHALLENBERG
Director, Utility Services

WARREN WOOD
Director, Utility Operations

COLLEEN M. DALE
Secretary/Chief Regulatory Law Judge

KEVIN A. THOMPSON
General Counsel

August 6, 2007

Mr. Doris House
5928 Julian Avenue, 2F1
St. Louis, Missouri 63112

RE: Case No. GC-2007-0451

Dear Ms. House:

As you know, the Public Service Commission has your complaint. This letter is being sent to you to explain the Commission's procedures and get more information from you about your complaint. Your complaint has been given Case Number GC-2007-0451. Please use this number when you send any documents to the Commission or when you contact the Commission about your complaint.

Attached to this letter is a list of statements made by the company and the Commission staff who investigated your complaint. After each statement, you must either check the "true" box or give a reason why the statement, or any part of the statement, is not true. If you do not mark the "true" box and do not give an explanation why the statement is not true, we will assume that you believe the statement is true. **You must return the attached form to the Commission by no later than August 30, 2007.**

About Cases at the Public Service Commission:

You must respond: If you do not respond to orders that require you to send information, you will lose your case. If you need more time, or do not understand, you must contact the judge assigned to your case and ask for more time or ask about the part you do not understand.

Your assigned Judge:

Name: Cherlyn Voss

E-mail: cherlyn.voss@psc.mo.gov

Phone: 573-751-3966

Fax: 573-526-6010

Mailing Address: Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

Ms. Doris House
Page two
August 6, 2007

If you have e-mail: You can request a copy of this letter, the attached list and any of the other papers in this case to be sent to you by e-mail and you can respond to anything by e-mail. Just send an e-mail to the judge on this case asking for e-mail service.

If you have Internet access: You can check on your case by going to the Commission homepage at www.psc.mo.gov and following the directions included with this letter about the Commission's Electronic Filing Information System, or EFIS. Some of the information in your case may not be available unless you identify yourself, because we keep some of your personal information closed (not available to the general public).

You must participate: You must attend all meetings, conferences and hearings in your case and you must be on time. If you do not come, your case could be dismissed and you will have to start over in another case. If you fail to come more than once, your case could be dismissed "with prejudice," which means you lose the case and cannot bring another one about the same complaint.

If you cannot come: You must contact the judge in your case. The judge can arrange for you to participate by phone or by video conference in Kansas City or St. Louis (where the Commission has offices). If you do not make special arrangements with the judge, you must come to the Commission offices in Jefferson City.

Do not be late: If you are more than 10 minutes late, the judge will let the court reporter and the other people in the hearing or conference leave and your case will be treated as though you did not come at all. You will then receive an order asking you to give a reason why your case should not be dismissed (this is called a "show cause" order). If you could not come to the hearing or conference for some reason, you should contact the judge and explain what kept you from attending. If you do not respond to a show cause order, your case will be dismissed.

Communicating with the judge: The judge on your case cannot discuss the facts of your actual complaint with you, except in a scheduled conference or hearing. This is so that both sides can be present when the facts are stated so that any wrong information can be corrected. It is the only way for the judge to be fair. You can discuss procedural matters, such as the time and location of meetings, but please do not talk about, send letters, or e-mail specific information about the facts of your case to the judge.

Sincerely,



Colleen M. Dale
Secretary

CMD/ck
Enclosures

Complaint Case Response Form

In the Matter of: Doris House v. Laclede Gas Company
Case No: GC-2007-0451

Listed below are several statements about your case. These statements come from the answer the utility company gave to your complaint and from the investigation done by the PSC staff. After each statement, you must either check the "true" box or give a reason why the statement, or any part of the statement, is not true. If you need more room to respond to a statement than given by the lines on the form, you may attach additional sheets and note the number of the statement you're continuing to respond to. If you do not mark the "true" box and do not give an explanation why the statement is not true, we will assume that you believe the statement is true.

Laclede Gas Company Statements. (These statements are in the same order as Laclede Gas Company's numbered responses in its Answer to the Complaint.)

1(a) Laclede obtained regular and accurate meter readings at Ms. House's home during 2006 and properly billed her for the corresponding usage.

☐ This whole statement is true.

This statement is not true because

Laclede Gas
admitted that the resident had a remote
outside and inside meter. Both were recording
but neither meter was compared to the other
between readings. Laclede admitted the outside
meter in Oct 06 had to be reprogrammed, but no logging
data
1(b) Laclede does not discriminate in any way, but bills the same tariff rates to all residential customers regardless of billing cycle.

prior to programming
was logged.

☐ This whole statement is true.

This statement is not true because

Laclede gas estimates a customer's
usage and projects the billing, therefore
the tariff rates are different according to when
the gas was purchased and charged
to the customer in that billing cycle.
The billing cycle used by Laclede gas
is different according to Laclede gas
policy and procedures. Therefore the
rate billed is different from the
"tariff" rate, due to the billing cycle.

2. October 19, 2006, Laclede replaced a non-functioning AMR module on its meter at Ms. House's home.

☐ This whole statement is true.

This statement is not true because

Laclede Lg (Lg)
admitted the Oct 2006 AMR
module had to be reprogrammed,
not replaced (done)

- 3(a). Laclede did not send Ms. House a bill the month after it replaced the non-functioning AMR module that indicated it had underestimated Ms. House's usage for twelve (12) months, and that bill did not state a balance of over \$800.

☐ This whole statement is true.

This statement is not true because

Lg admitted
(page 2 staff findings) that Lg sent an
estimated bill, July 3, 2006 through
Sept. 28, 2006.

- 3(b). Laclede only sent estimated bills to Ms. House during the summer of 2006, between the time that the first AMR module stopped working and a replacement was installed.

☐ This whole statement is true.

This statement is not true because

Customer has
my knowledge that an estimated bill
from Lg was sent only during the
summer of 2006 the ~~previous~~ year
in question.

3(c). The estimated bills Laclede sent to Ms. House during the summer of 2006 covered very modest summer usage. The bill Laclede sent to Ms. House for usage to October 24, 2006 was for only \$85.64, and Ms. House's balance on that date was also \$85.64.

☐ These whole statements are true.

These statements are not true because

Ms. House is without knowledge to ~~admit~~ admit this statement, but deny

3(d). Laclede sent Ms. House a bill for usage to November 24, 2006, of \$211.47, and Ms. House failed to timely pay her bill for either October or November.

☐ This whole statement is true.

This statement is not true because

Ms. House is without knowledge to admit statement, but deny

3(e). The balance on Ms. House's account did not exceed \$800 until she failed to timely pay the bill for the period ending February 27, 2007.

☐ This whole statement is true.

This statement is not true because

Deny
Ms. House is without knowledge to admit this statement

4. Laclede obtained ten actual meter readings in 2006, of which it used nine for billing purposes, and Laclede received readings in every month of 2006 except July through September.

☐ These whole statements are true.

These statements are not true because

Deny

*Ms. House is without
knowledge to admit*

5. Laclede replaced the AMR module in the meter servicing Ms. House's home on October 19, 2006.

☐ This whole statement is true.

This statement is not true because

Deny

*Reprogrammed the
outside meter did not
replace inside meter.*

6. Laclede was not negligent in correcting problems with its AMR module. Laclede estimated three bills in the summer of 2006, but the use of three estimated bills did not operate to Ms. House's financial detriment.

☐ These whole statements are true.

These statements are not true because

Deny

*The problem caused
an over estimate of
usage when compared
to the year to year
estimate, not the
last month of AMR
reprogramming.*

7. Laclede obtained actual readings at Ms. House's home in October and November 2006, and these readings are consistent with the weather experienced during that period.

☐ This whole statement is true.

This statement is not true because

Deny

*The year to year estimate
cause over billing when
the AMR was reprogrammed.*

8. All Laclede's residential bills are based on Laclede's tariffed residential rates without regard to billing cycles.

☐ This whole statement is true.

This statement is not true because

Deny

*The billing cycles of
Lg and rates were based on
estimates of usage to Ms House
Not actual usage X rate of usage X cost
of gas*

9. Ms. House has a past due balance on her Laclede account of \$958.37. Since the AMR module change nine months ago, Ms. House has only made five payments to Laclede. Since the module change on October 19, 2006, Ms. House has paid \$857 less to Laclede than she was billed by and paid to Laclede during the same period in the previous year.

☐ These whole statements are true.

These statements are not true because

Deny

*The over billing was
due to year to year
estimate which were
converted into the total
bill due after the AMR
was reprogrammed*

Missouri Public Service Commission Staff's Statements. These statements are from the "STAFF FINDINGS," "DISCUSSION" and "RECOMMENDATION" sections of the Report of the Staff filed on July 31, 2007.)

1. On November 19, 2005, Laclede removed the meter at Doris House's residence and replaced it with a meter equipped with an Automated Meter Reading (AMR) device, with a meter index of x4757.

☐ This whole statement is true.

This statement is not true because

Deny - as to what the AMR was in Nov 2005 the x4757 meter index reading has no bearing on this case except that it failed during SWC. from being read inside.

2. Laclede obtained monthly meter reads for the AMR through June, 2006. The meter failed to emit reads from July, 2006 through September, 2006. Laclede estimated usage for these billing periods.

☐ These whole statements are true.

These statement are not true because

Deny - the meter failed to be read the side meter was not recording and needed to be reprogrammed.

3. On October 19, 2006, the AMR device was reprogrammed at which time a meter index of x5892 was obtained, and subsequent reads from the AMR showed gas usage had continued.

☐ This whole statement is true.

This statement is not true because

Deny - the x5892 AMR reading has no bearing in this case without the reprogramming of the AMR meter compared to AMR index meter readings of several reads to get a proper range.

4. On January 19, 2007, Laclede's Customer Relations Department spoke with Ms. House, reviewed the billing on her account, and advised her that the usage since the AMR reprogramming was based on actual usage.

☐ This whole statement is true.

This statement is not true because

Deny

The call in which the AMR Bill was based on year-to-year estimate resulting in a total Bill due after the AMR was reprogrammed.

5. Laclede estimated bills for service to Ms. House's home, from June, 2006, through September, 2006, and the total amount of those three bills was \$63.39.

☐ This whole statement is true.

This statement is not true because

Deny

This amount of \$63.39 is without the knowledge of Ms. House.

6. Although the AMR failed to transmit usage readings, from June, 2006, through September, 2006, the meter continued to register her actual usage during that time. Accordingly, the bill issued on October 26, 2006, was based upon her actual usage.

☐ This whole statement is true.

This statement is not true because

Deny

The actual usage could not be determined without several readings of the AMR being recorded.

7. Ms. House's high winter usage from October 2006 through March 2007, and her poor pay history during that period are the cause for her large outstanding account balance.

☐ This whole statement is true.

This statement is not true because

Deny

The winter of 2006 was high
or out of range of Lg estimate for
the winter of 2006 nor was the usage out of range.
any balance due was not out of range.

8. Based upon its investigation Staff did not find that had Laclede violated any Commission rule or its approved tariffs for the billings rendered to Ms. House.

☐ This whole statement is true.

This statement is not true because

Deny

The investigation was based
on the Commission findings as
to irrelevant material. No issue
raised as to tariff rates of Lg purchase
price they paid for gas.

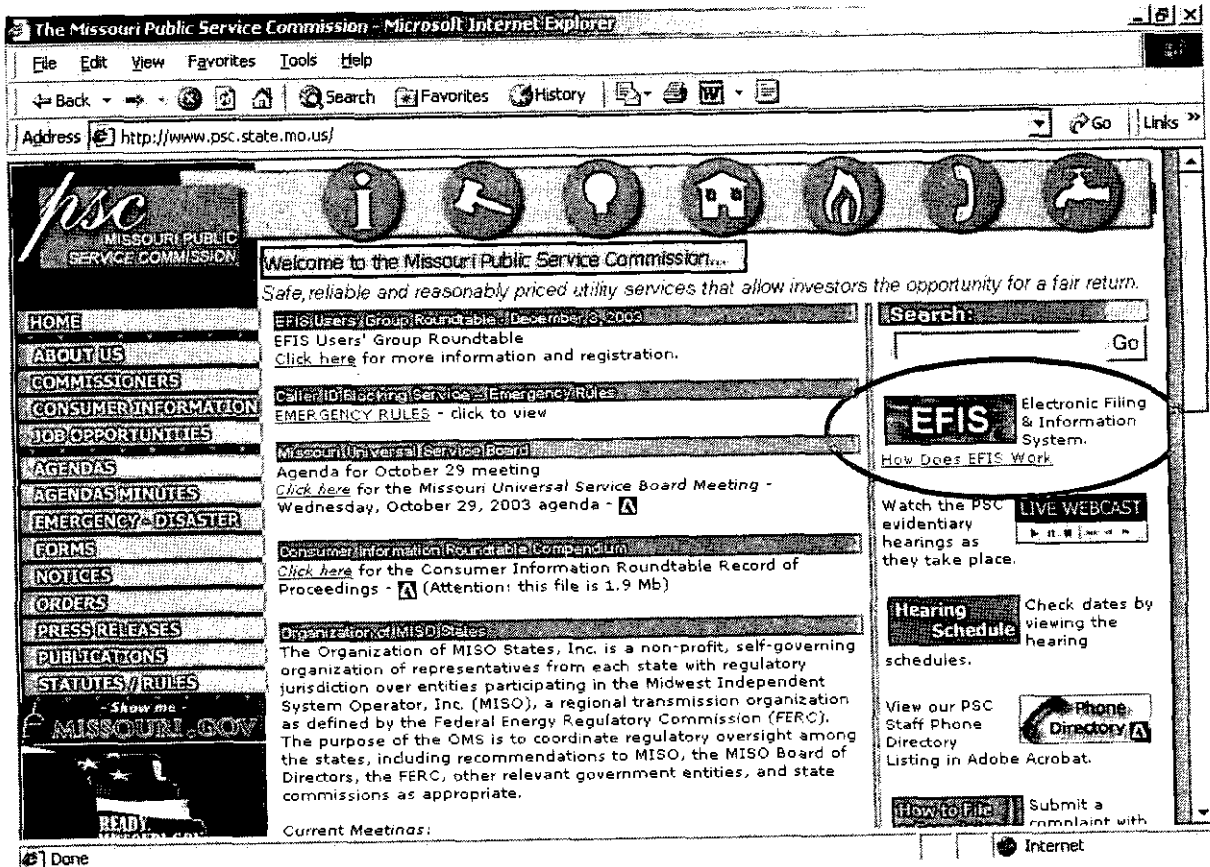
Thank you for responding to these statements. Please return this form to the PSC by no later than August 30, 2007, so that we can continue to work on your complaint. If you do not return this form, we will assume that you do not want to continue with your complaint and it should be dismissed.

Postmarked
8/30/07

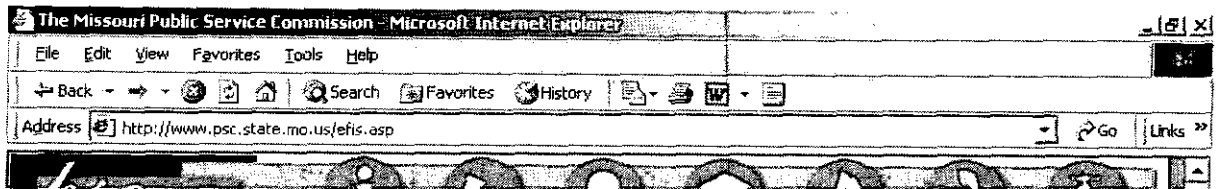
Instructions for Accessing EFIS from the PSC Web Page

Step 1 - Go to the PSC web page at www.psc.mo.gov.

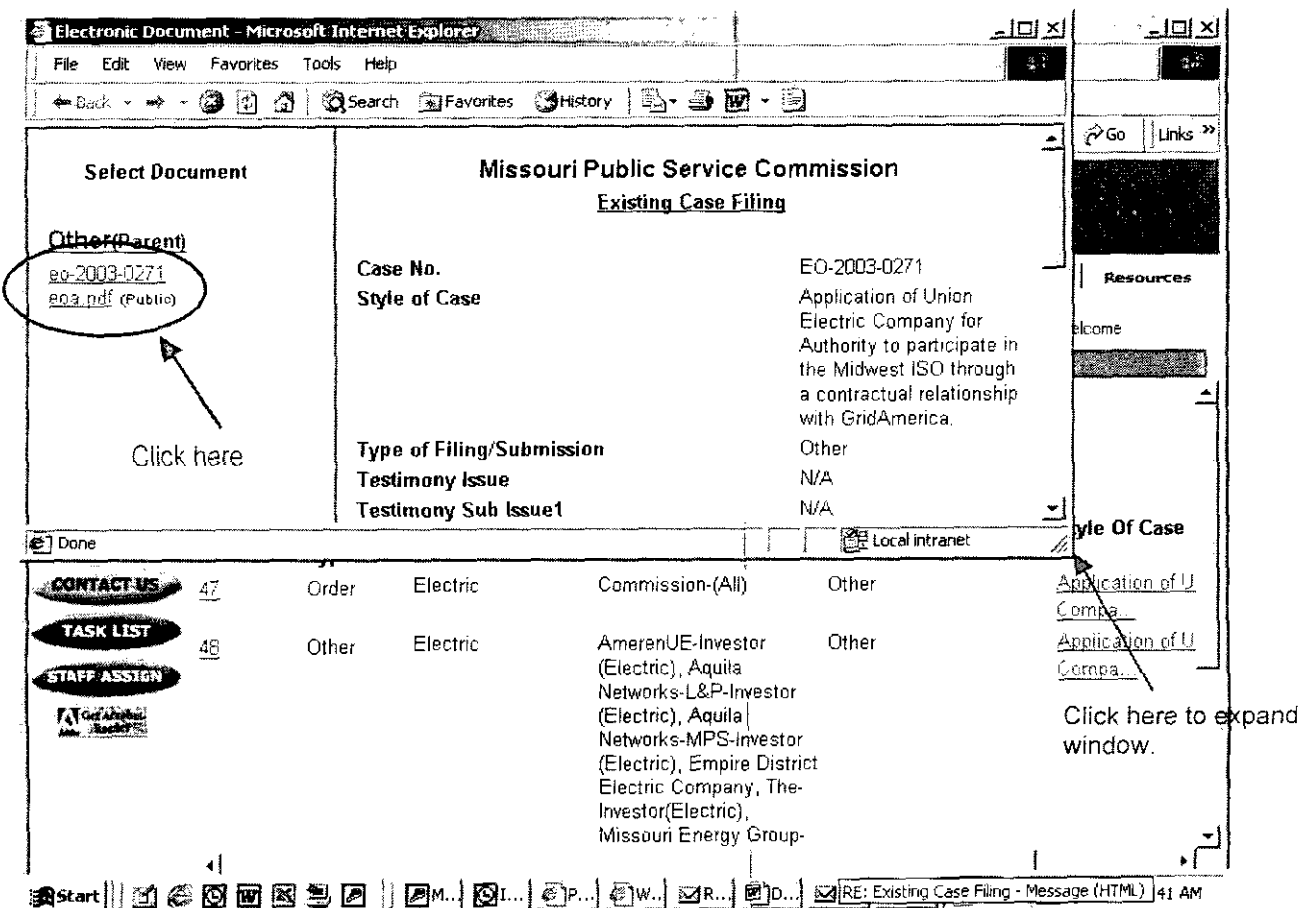
Step 2 - Click on the "EFIS" icon on the right side of the screen.



Step 3 – EFIS will open to a disclaimer page. Select “I agree to terms above”.



Step 8 – Click on the document link displayed in the pop-up window. You may need to expand the window by clicking and dragging the lower right-hand corner of the pop-up window.



Step 9 – View the document.

Electronic Document - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites History

Select Document

Other(Parent)

[eo-2003-0271](#)

[eo2a.pdf](#) (Public)

Missouri PUBLIC SERVICE COMMISSION

ENTRY OF APPEARANCE

EO-2003-0271 Application of James B. LANEY

NAME: James B. LANEY YES NO

ADDRESS: 111 S. N. Street

Columbia, MO 65205 TEL: 573-493-3111

APPEARING FOR: James B. LANEY, J.B. LANEY

FILED

MAY 15 2003

MISSOURI PUBLIC SERVICE COMMISSION

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Done

Local intranet

Local intranet

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

**I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 6th of August, 2007.**



**Colleen M. Dale
Secretary**

MISSOURI PUBLIC SERVICE COMMISSION

August 06, 2007

Case No. GC-2007-0451

General Counsel's Office
P.O. Box 360
200 Madison Street, Suite 800
Jefferson City, MO 65102

Lewis R. Mills, Jr.
P.O. Box 2230
200 Madison Street, Suite 650
Jefferson City, MO 65102

Doris House
Doris House
5928 Julian Avenue, 2nd Floor
St. Louis, MO 63112

Laclede Gas Company
Rick Zucker
720 Olive Street
St. Louis, MO 63101

Enclosed find a certified copy of an ORDER in the above-numbered case(s).

Sincerely,

A handwritten signature in dark ink, appearing to read 'Colleen M. Dale', with a stylized, cursive-like script.

***Colleen M. Dale
Secretary***