



subject of over billing and meter readings can be accounted to the telephone call at 9:10am of December 19, 2006, however. from line line # 36 to line # 57 this telephone conversation pertains only to the Odor of Gas, the Respondent has incorporated this telephone conversation into one single telephone call in which the Complainant is positively sure that the second telephone call took place when the Owner placed second telephone call pertaining to the Odor of Gas after the first Service Technician sprayed the aerosol spray leak detector and after he took off the old meter and installed the new AMR Meter and after he left the premise around 10:00, that was 55 minutes later.. A good effort by the Respondent to make it appear in writing as shown in Exhibit # 5, 5a & 5b that the whole telephone conversation incurred in one simultaneous event that morning at 9:10am. The time started and time completed on previous Laclede's records previously submitted into evidence have all the markings of tampering. The Data Integrity have been compromised with almost all the Laclede Gas Co own official records that the Complainant enumerated in his Response on Laclede Gas Co Answer & Post Hearing Reply Brief dated March 14, 2008 that there are more than enough evidences to charge Laclede Gas Co with negligence and with the latest signed letter and statement by the Respondent and now being submitted and entered into evidence (see Exhibits 5,5a,5b) and there are more than enough evidence to elevate the charge of negligence to fraud.

2. The first order of business on December 19, 2006 morning as shown on Exhibit 2d with date stamped 12/21/06, that the new AMR meter has been completed and installed, with an Old Meter Reading No. 001252645 & New Meter Reading No. 000811039, is sufficient proof that the handwritten note on Special Instruction (see Exhibit 2d) that states, "Odor Basement, No Service work, make safe only". has been added. This is the first proof of fraud in order to attempt to alter with the sequence of event. The **time Started, 9:05am & time completed, 10:00am** signed by J.Bash is accurate. The Laclede own records that have been entered into evidence show that Mr. J. Bash did the installation of the New AMR Meter and he was able to read the old meter and also the AMR New Meter. Contrary to the Dispatcher Report, (Exhibit #2c) as previously submitted into evidence for the Complainant. The Dispatcher Report with the same **Work Order No. 061229888**, the **time started: 9:05am** and **time completed 10:34:04 am**, time completed did not match with the Service Technician Report, (see Exhibit # 2d) an unprofessional attempt to tamper the time of completion to cover up and manipulate Service Technician negligence that resulted into gas leaks due to faulty installation when the Service Technician installed the New AMR Meter that prompted the Owner to call for odor of gas service. Another evidence of conspiracy between the Technician and Dispatcher to cover up such negligence just took place. The only data that balance between the Service Technician Report (see Exhibit 2d) and Dispatcher Report (see Exhibit 2c) which is another evidence of fraud to conspire, the **Special Instruction: No service work make gas only**, but this special notation is too late, the the new AMR Meter has been installed that renders this "**Special Notation**" another proof of fraud due to tampering and attempt to change the sequence of events and to cover up his negligence.

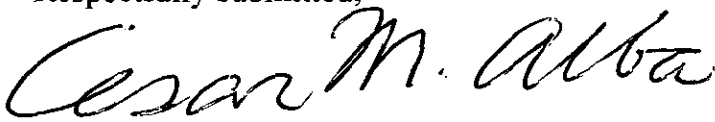
3. On second order of business shown on Service Technician Report (see Exhibit 2f), with a different **Work Order # 061229889** that has been submitted into evidence for Complainant, shows that the "**completion information**" is repeated for the second time, the **Old Meter No: 001252645** and **New AMR Meter No. 000811039** also signed by J.Bash that shows a **Time Start: 10:00am** and **Time Complete: 10:15am**. The time of completion was **10:34am**, and not 10:15am. The Technician Report (exhibit 2f) on the time of completion is a total contradiction of the report made by the Dispatcher (see Exhibit # 2e) on the same **Work Order# 061229889, Time start: 9:15:00, Completed: 10:34:03**. The time of completion prepared by the Dispatcher is correct. As soon as the second Technicians left, the Complainant called Mr. Ian Randall (customer of Vitt Heating & Cooling) with his cell phone for referrals at exactly **10:37 am**, see attached copy of itemize T.Mobile invoice of December 19, 2006 as Complainant's Exhibit # 6. The Complainant insist that the second Service Technician that came to service the odor of gas is not the same **Service Technician** who installed the new AMR Meter earlier. The second Technician left an evidence with his handwriting on the original unsigned **Hazardous Appliance Report (see Exhibit 2j)** The ethical issues of tampering by altering, changing, adding and revising company records to protect negligence committed by the Technicians in order to make look good in papers and to conform with the regulated operational procedures to make it appear that the job that had been done in the proper fashion in accordance to the Federal and State regulation and in the effort to cover up such negligence not only by the Technicians and by the Dispatchers that seriously jeopardize the integrity of the company. The Legal Counsel for the Respondent, Mr. Rick Zucker confirms in writing (see Exhibit 5) and submitted a written transcript of the telephone conversation ( see Exhibit 5a,5b) that the whole telephone conversation was done in one telephone call by the Owner at 9:10am of December 19, 2006. This evidence allows the Complainant to elevate the charges of negligence to fraud. The System Analyst for most corporations who specialize in Time & Motion to measure productivity and also the same techniques are being used by Forensic experts in order to accurately reconstruct a crime scenario. Base on 31 years of experience in system time analysis, the first order of business on that same day, from the time starts to the time of completion when the technician took off the old meter and he replaced it with a new AMR Meter after spraying with Aerosol Leak Detector should take more than 15 minutes to complete the tasks. The two evidences (see Exhibit 2e and 2f) have the markings of the uncoordinated fraudulent efforts to hide and cover up their inefficient and negligent actions by the Service Technicians after the New AMR Meter has been installed, as a result, the odor of gas had leaked from the pipe connection of the Newly installed AMR Meter and the Dispatcher Report is a willing conspirator to coordinate and cover such mistake by trying to alternate the sequence of events in order to show as if that the Odor of Gas were the first order of events and make it appear that the gas leak was not a result of the faulty installation of New AMR Meter that prompted the Owner to call for odor of gas after the first Technician left the premise around **10:05 am** of that same day. The motivation to conspire and cover up are not enough for Laclede to accept responsibility and admit negligence but the Lawyer for the Respondent in his letter (see Exhibit 5) manage to make it appear the telephone conversation (see Exhibit 5a & 5b from line # 1 to Line # 57) is the result of one phone

call made by the Complainant on December 19, 2006, 9:10am. The Respondent is taking a big risk of being charge with fraud as a corporation and not only the makings of two or three different employees to be held responsible but this can result into a class action suit against the corporation. The Complainant is very confident the first order of business was the spraying of the aerosol spray leak detection, the taking off of the old meter and the installation of the New AMR Meter. Any System Analyst nor Forensic Expert will find it easy to make good sense that a Service Technician should be able to accomplish within 55 minutes from 9:05 am to 10:00am of December 19, 2006 as the time started and completed shown on Service Technician Report is correct (see Exhibit 2d). This is another reason why it is imperative that AT&T records should be served with a subpoena. The alterations, revision, omission and addition in all the records submitted as evidence compromise the data integrity of Laclede Gas Co. such as alteration of time and sequence of events to cover the company's negligence is a very serious betrayal of public trust and therefore that practice is fraudulent.

4. The Respondent claims on two different occasions, that the Technicians sprayed liquid detection fluid even with the their own conflicting statements as admitted by the Respondent as shown on Paragraph 1 of Laclede Gas Company's Answer dated June 22, 2007 that on October 12, 2006 Laclede Technician had used aerosol. spray and yet no leak has ever been detected but later or denied by the Respondent and he submitted a picture of the Laclede Official Spray Liquid Detector. (see Exhibit 1a), the same alleged Spray Liquid Detector that was indicated on Service Technician Report as shown on Exhibit # 2d in an attempt to comply with the company regulations and requirements on proper use of liquid spray to detect leaks. This is in contrary to Owner eye witness account that the complainant has been insisting from the very start that only the aerosol leak spray detection Spray had been used on both occasion and no signs of bubbling or suds to locate any leaks. In all the Service Technician Reports submitted into evidence, no evidence that states any bubbling or suds in any pipes, couplings, joints, nipples, or gas cocks compared to the reports of Vitts Heating & Cooling that shows with convincing fashion as shown on the evidence previously submitted (see Exhibit # 2j) the original Invoice # 0837 dated 12/20/06 and the same original has been submitted by Vitts Heating to the Commission filed on November 21, 2007. A total of fourteen places evidence of leaking by Vitt Heating from nipples, joints, gas cocks, couplings had to be replace due to leaking that resulted to bubbling and suds all over the entire lines as witnessed by the Owners with his own two eyes. The Service Technicians Report as shown on Exhibit 2d has been added to show that their superior and approved Liquid Detection Spray had been used instead of Aerosol Leak Detector Spray that actually had been used as witnessed by the Owner on two instances the yielded without any results and Service Technician added further claim to have used the alleged U-tube to detect leakage. This is another evidence of another fraudulent actions by the Laclede Technicians that they are not interested in fixing the leaks in order to be able to charge a higher gas consumption is wrong, fraudulent and unacceptable corporate practice and culture.

WHEREFORE, with all the overwhelming and mountains of evidences submitted as Complainant's Exhibits, we have more than enough evidence to charge not only against the employees who conspired to alter, change, add and delete company records to cover up their negligence but also making Laclede Gas Co. equally liable of fraud when the Respondent confirmed and validate those records in writing. The Motion to Subpoena the AT&T telephone records of the Owner is in order. It will only be an addition as to all previously submitted evidence to find Laclede Gas Co. beyond any reasonable doubt and for the Commission to be able to render his opinion and charge the Laclede Gas Co. guilty of fraud.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cesar M. Alba". The signature is written in black ink and is positioned above the typed name and address.

Cesar M. Alba  
P.O. Box 300548  
St. Louis, Mo. 63130

April 12, 2008

cc: Rick Zucker  
Assistant General Counsel  
Laclede Gas Company  
720 Olive Street., Room 1516  
St. Louis, Mo. 63101

EXHIBIT #5

LACLEDE GAS COMPANY  
720 OLIVE STREET  
ST. LOUIS, MISSOURI 63101  
(314) 342-0533

RICK ZUCKER  
ASSISTANT GENERAL COUNSEL-REGULATORY

April 1, 2008

Mr. Cesar Alba  
P. O. Box 300548  
St. Louis, MO 63130


Re: Alba v. Laclede Gas Co.; GC-2007-0445

Dear Mr. Alba:

As represented in my March 28 response to your motion to produce, enclosed please find a transcript of your call to Laclede, time-stamped by our system at 09:10 a.m. on December 19, 2006. The call verifies Laclede's position on two matters of dispute. First, it verifies that Laclede had performed a recent meter reading (actually on December 18, 2006). This meter reading showed that you had in fact been overcharged, and your bill was credited to reverse the overcharge. Second, the call proves that you had reported a gas odor before 9:10 am on December 19, because a Laclede service technician responding to your gas odor report was knocking on your door at about 9:10 am. Later that morning, that technician would identify leaks in your fuel runs, shut off your gas for safety reasons and change the meter. The next day, your contractor repaired the leaks in your fuel runs.

In summary, this transcript should satisfy you that the events of December 18-19 occurred as reflected in Laclede's records. While I prefer to confirm these matters with you informally, if you succeed in re-opening the record, I will file the transcript as part of the record in this case.

Best wishes,

  
Rick Zucker

RZ:gl  
Enclosure

Account No. 574751-011  
Cesar Alba  
3931 Minnesota Ave 2FL  
St. Louis, MO 63118

Call from 12/19/06 09:10 a.m.

- 1 CSR Laclede Gas Company Customer Service Representative
- 2 CA Cesar Alba
- 3 ST Laclede Gas Company Service Technician
- 4 CSR: Thank you for calling Laclede Gas. This is Scott. How can I help you today?
- 5 CA: Yeah, yesterday a meter reader guy came over to read my meter again.
- 6 CSR: Ok.
- 7 CA: The reason I didn't pay is because the amount showing in my bill is too enormous. In other words, it is very shocking to me because this is just a one bedroom and I used to come from a three bedroom apartment and I never had these kind of charges before in my life. You know?
- 8 CSR: Ok. What's your account number sir?
- 9 CA: Ok. 5747510117.
- 10 CSR: And your name please?
- 11 CA: Cesar Alba.
- 12 CSR: Ok. 3931 Minnesota 2FL?
- 13 CA: Yes.
- 14 CSR: Telephone number is still 314-771-2155?
- 15 CA: Yes.
- 16 CSR: Ok.
- 17 CA: If you want, I got also a card that will show the next billing that I read it, that the meter reader help me fill this one out and he will also submit his own reading.
- 18 CSR: Sure.
- 19 CA: If you can adjust it right now, I can pay today on line.
- 20 CSR: You want to make a payment?
- 21 CA: No, no. What I am saying is if you adjust it right now I can make my payment because I am due for December 26 to pay.
- 22 CSR: Yeah, I don't even have the reading yet, sir.
- 23 CA: (Unintelligible) to wait for reading... Hello?
- 24 CSR: Hello?
- 25 CA: Hold just a second, it looks like someone is knocking at the door.

(Conversation at front door between CA and ST)

- 26 CA: Yeah, ok. Just a second. Hello. Are you from Laclede? Meet me at the back.
- 27 ST: Ok, Mr., you called in a gas odor?
- 28 CA: Yeah.
- 29 ST: You have a gas cook stove?

30 CA: Yeah  
 31 ST: Ok, let's do that first.  
 32 CA: Yeah, go out the back then.  
 33 ST: I have to see your stove....  
 34 CA: I know. I know.  
 35 ST: Ok.

(Back to phone conversation between CA and CSR)

36 CA: That is Laclede because I reported an odor of gas. Ok, what I'm saying is this. I just received a call about what's called disconnection because I didn't paid my bill.  
 37 CSR: M-hm.  
 38 CA: And then the reason I didn't pay is because the two big amounts showing in my bill that is very, almost, must be wrong, the way I believe, the way I feel. You know what I mean?  
 39 CSR: Yeah. I don't show your disconnect date is until the 26<sup>th</sup>.  
 40 CA: Yeah, but do you think by that time you have the new reading?  
 41 CSR: I don't have the reading yet, sir.  
 42 CA: No, I mean but by that time do you think you should have it?  
 43 CSR: Well, when we receive the reading, if we have overcharged you we will do a rebill. I would advise you...  
 44 CA: Ok. In other words, you will not disconnect...?  
 45 CSR: I'm sorry?  
 46 CA: But you will not do any disconnection before December 26<sup>th</sup>?  
 47 CSR: Well, I would advise you to pay the minimum of \$195.63 by the 26<sup>th</sup>.  
 48 CA: That's even a big amount for me. You know what I mean?  
 49 CSR: M-hm.  
 50 CA: That's even a big amount. You know?  
 51 CSR: Yeah, I would just advise you to pay that and then if you've overpaid, then we'll adjust your bill and rebill you.  
 52 CA: How much again?  
 53 CSR: The minimum is ...  
 54 CA: \$196.  
 55 CSR: \$195.63.  
 56 CA: Ok. Ok. Thank you.  
 57 CSR: Ok.

(The call is terminated)



EXHIBIT # 6

T-Mobile

Statement For: CESAR M. ALBA  
 Mobile Number: (773) 983-5957  
 Account Number: 254093133

Customer Service Number 1-800-937-8997

Jan 19, 2007

Page 4 of 6

LOCAL AIRTIME, LONG DISTANCE and INTERNATIONAL CHARGES								
Date	Call Destination	Time	Number Called	Call Type	Minutes	Airtime Charges	Toll Charges	Total
12/19/06	Chicago, IL	10:31 AM	312-977-5165		1	\$ -	\$ -	\$ -
12/19/06	Crevecoeur, MO	10:37 AM	314-486-1952		1	\$ -	\$ -	\$ -
12/19/06	St Louis, MO	2:20 PM	314-832-1854		2	\$ -	\$ -	\$ -
12/21/06	Kirkwood, MO	10:50 AM	314-909-7825		7	\$ -	\$ -	\$ -
12/21/06	New York, NY	11:55 AM	848-471-5424		1	\$ -	\$ -	\$ -
12/22/06	New York, NY	10:13 AM	848-471-5424		1	\$ -	\$ -	\$ -
12/23/06	Ladue, MO	11:34 AM	314-496-8801		2	\$ -	\$ -	\$ -
12/23/06	Chicago, IL	11:36 AM	773-793-8228 (F)		4	\$ -	\$ -	\$ -
12/24/06	Kirkwood, MO	4:27 PM	314-795-7625		3	\$ -	\$ -	\$ -
12/24/06	Incoming	9:19 PM	773-793-8228 (F)		1	\$ -	\$ -	\$ -
12/25/06	Incoming	11:39 AM	314-795-7625		1	\$ -	\$ -	\$ -
12/25/06	Sunnyvale, CA	1:06 PM	408-507-2961		1	\$ -	\$ -	\$ -
12/25/06	Sunnyvale, CA	1:08 PM	408-739-4738		1	\$ -	\$ -	\$ -
12/25/06	Kirkwood, MO	1:31 PM	314-795-7625		1	\$ -	\$ -	\$ -
12/25/06	Incoming	1:33 PM	314-795-7625		1	\$ -	\$ -	\$ -
12/25/06	Kirkwood, MO	2:50 PM	314-795-7625		1	\$ -	\$ -	\$ -
12/25/06	Incoming	3:18 PM	301-655-9016		1	\$ -	\$ -	\$ -
12/27/06	Ladue, MO	8:58 AM	314-724-6460		1	\$ -	\$ -	\$ -
12/27/06	Ladue, MO	9:19 AM	314-724-6460		4	\$ -	\$ -	\$ -
12/27/06	Phoenix, AZ	10:32 AM	802-824-4918		1	\$ -	\$ -	\$ -
12/27/06	St Louis, MO	10:33 AM	314-383-8981		1	\$ -	\$ -	\$ -
12/27/06	Chicago, IL	10:34 AM	773-556-4357		1	\$ -	\$ -	\$ -
12/27/06	New York, NY	11:24 AM	848-471-5424		1	\$ -	\$ -	\$ -
12/27/06	Bethesda, MD	11:33 AM	301-655-9016		2	\$ -	\$ -	\$ -
12/30/06	Arlington, VA	8:37 AM	703-628-5554		6	\$ -	\$ -	\$ -
12/30/06	Chicago, IL	12:20 PM	773-793-8228 (F)		1	\$ -	\$ -	\$ -
12/30/06	Chicago, IL	2:52 PM	773-793-8228 (F)		16	\$ -	\$ -	\$ -
12/30/06	Chicago, IL	5:22 PM	773-780-1009 (F)		1	\$ -	\$ -	\$ -
12/30/06	St Louis, MO	5:51 PM	314-832-9789		1	\$ -	\$ -	\$ -
12/30/06	St Louis, MO	5:52 PM	314-231-1234		2	\$ -	\$ -	\$ -
12/31/06	Bethesda, MD	5:38 PM	301-655-9016		4	\$ -	\$ -	\$ -
1/01/07	Kirkwood, MO	10:38 AM	314-909-7825		2	\$ -	\$ -	\$ -
1/02/07	1-888 #	9:45 PM	888-885-0042		1	\$ -	\$ -	\$ -
1/02/07	1-800 #	9:46 PM	800-888-2238		1	\$ -	\$ -	\$ -
1/02/07	Ladue, MO	9:47 PM	314-517-5429		1	\$ -	\$ -	\$ -
1/03/07	Las Vegas, NV	8:28 AM	702-835-0698		2	\$ -	\$ -	\$ -

Call Type: (A) Call Waiting (B) Call Forward (C) Conference Call (E) Data/Fax (F) Mobile2Mobile (G) Voicemail (H) Free Calls

(K) WPS Call (U) Other (V) myFaves Call

Customer Service Number 1-800-937-8997

Jan 19, 2007

Page 1

LOCAL AIRTIME, LONG DISTANCE and INTERNATIONAL CHARGES - (Continued)								
Date	Call Destination	Time	Number Called	Call Type	Minutes	Airtime Charges	Toll Charges	Total
1/03/07	1-800 #	8:51 AM	800-724-1107		1	\$ -	\$ -	\$ -
1/03/07	Chicago, IL	9:12 AM	773-780-1009 (F)		1	\$ -	\$ -	\$ -
1/03/07	Incoming	9:13 AM	773-780-1009 (F)		1	\$ -	\$ -	\$ -
1/03/07	Santa Monica, CA	9:14 AM	310-568-1063		2	\$ -	\$ -	\$ -
1/04/07	New York, NY	9:58 AM	848-471-5424		1	\$ -	\$ -	\$ -
1/04/07	New York, NY	10:08 AM	848-471-5424		1	\$ -	\$ -	\$ -
1/04/07	St Louis, MO	10:11 AM	314-444-5441		3	\$ -	\$ -	\$ -
1/04/07	Incoming	8:06 PM	219-883-0505		1	\$ -	\$ -	\$ -
1/05/07	St Paul, MN	12:07 PM	651-665-5193		1	\$ -	\$ -	\$ -
1/05/07	1-800 #	12:10 PM	800-910-8944		1	\$ -	\$ -	\$ -
1/05/07	Las Vegas, NV	2:01 PM	702-835-0698		1	\$ -	\$ -	\$ -
1/06/07	La Grange, IL	12:27 PM	830-452-3564		1	\$ -	\$ -	\$ -
1/06/07	La Grange, IL	12:30 PM	830-452-3564		1	\$ -	\$ -	\$ -
1/06/07	Chicago, IL	1:50 PM	773-793-8228 (F)		1	\$ -	\$ -	\$ -
1/06/07	Bethesda, MD	1:52 PM	301-655-9016		1	\$ -	\$ -	\$ -
1/06/07	St Louis, MO	1:55 PM	314-772-3853		1	\$ -	\$ -	\$ -
1/06/07	Bethesda, MD	2:25 PM	301-655-9016		1	\$ -	\$ -	\$ -
1/06/07	Omaha, NE	2:29 PM	402-290-2998		2	\$ -	\$ -	\$ -
1/06/07	Ladue, MO	2:37 PM	314-518-4992		1	\$ -	\$ -	\$ -
1/06/07	Sunnyvale, CA	2:42 PM	408-507-2961		1	\$ -	\$ -	\$ -
1/06/07	Chicago, IL	3:16 PM	773-793-8228 (F)		1	\$ -	\$ -	\$ -
1/06/07	Incoming	3:50 PM	402-290-2998		49	\$ -	\$ -	\$ -
1/06/07	Bethesda, MD	8:57 PM	301-655-9016		31	\$ -	\$ -	\$ -
1/07/07	Incoming	11:25 AM	314-518-4992		3	\$ -	\$ -	\$ -
1/07/07	Chicago, IL	9:59 PM	773-793-8228 (F)		14	\$ -	\$ -	\$ -
1/08/07	Fresno, CA	8:55 AM	559-457-0453		1	\$ -	\$ -	\$ -
1/08/07	St Louis, MO	2:27 PM	314-802-8424		1	\$ -	\$ -	\$ -
1/09/07	Kirkwood, MO	8:58 AM	314-809-8851		1	\$ -	\$ -	\$ -
1/10/07	Incoming	8:00 AM	999-999-9999		1	\$ -	\$ -	\$ -
1/12/07	New York, NY	8:16 AM	848-471-5424		1	\$ -	\$ -	\$ -
1/12/07	New York, NY	9:51 AM	848-471-5424		1	\$ -	\$ -	\$ -
1/13/07	St Louis, MO	9:53 AM	314-832-9789		1	\$ -	\$ -	\$ -
1/13/07	St Louis, MO	9:54 AM	314-231-1234		5	\$ -	\$ -	\$ -
1/13/07	St Louis, MO	12:28 PM	314-721-8948		1	\$ -	\$ -	\$ -
1/13/07	St Louis, MO	12:30 PM	314-351-0586		4	\$ -	\$ -	\$ -
1/13/07	Incoming	12:45 PM	904-652-7719		11	\$ -	\$ -	\$ -

Call Type: (A) Call Waiting (B) Call Forward (C) Conference Call (E) Data/Fax (F) Mobile2Mobile (G) Voicemail (H) Free Calls

(K) WPS Call (U) Other (V) myFaves Call