

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

Janet Parks,)	
)	
Complainant,)	
)	
v.)	File No. GC-2011-0232
)	
Southern Union Company,)	
d/b/a Missouri Gas Energy)	
)	
Respondent)	

RESPONSE TO ORDER DIRECTING FILING

COMES NOW, Southern Union Company, d/b/a Missouri Gas Energy ("MGE" or "Company") and for its response to the Commission's Order Directing Filing, states as follows:

1. On October 4, 2011, Ms. Parks filed a letter with the Commission, indicating that she was away from her home for medical treatment and that she did not have a projected date as to when she will be home in order to continue her formal complaint against MGE. Ms. Parks asked for restoration of her natural gas service, stating that she would agree to pay her monthly bills but that MGE's restoration of her service would not resolve her claims against the Company.

2. On October 4th, the Commission asked that MGE file a response to Mr. Parks' status report.

3. As an initial matter, MGE reiterates its position that it has acted consistently within its tariffs in its interaction with Ms. Parks. The Company and the Staff of the Public Service Commission ("Staff") have repeatedly requested information from Ms. Parks in order to fully analyze her complaint and to review support for her positions,¹ which she has repeatedly refused to fully provide. The Company has also previously referred Ms. Parks to agencies for

¹ Documented both in MGE's Answer as well as in Staff's Report. MGE notes that the data requests provided to Ms. Parks in July 2011 have yet to be answered. MGE has not yet pursued this with the Commission as a procedural schedule has not yet been set and due to Ms. Parks' statements as to her health condition.

payment assistance, but there is no indication that Ms. Parks has made any effort to obtain such assistance. Further, the Company has previously offered a payment plan to Ms. Parks.

4. MGE sympathizes with Ms. Park's health condition. MGE again offers to restore natural gas service consistent with MGE's tariffs. MGE also offers to provide additional protections for Ms. Parks given that this matter is currently before the Commission. Under MGE's tariffs, the Company may restore service to a customer with a delinquent account if the customer provides a security deposit or other guarantee.² Under the Company's Cold Weather Rule,³ if the customer is unable to pay the entire deposit for an outstanding amount, the customer can pay an initial deposit and then pay the disputed amount over a twelve-month period. The customer earns interest on the deposit while it is retained by the Company.

5. The Company would make the following offer to Ms. Parks so that she can obtain natural gas service during the pendency of this proceeding. These requirements are authorized by and are consistent with MGE's tariffs unless stated otherwise. MGE offers the following in order to restore Ms. Parks' natural gas service:

- a. Ms. Parks would apply for financial assistance to pay her outstanding bill from any federal, state, local, or other heating payment fund program for which she may be eligible.⁴ MGE will assist with directing Ms. Parks to such an agency or agencies.
- b. Ms. Parks would enter into a payment agreement and provide an initial payment consistent with Section 3.10(G) of MGE's tariffs.⁵ The payment agreement for service must comply with the provisions in Section 3.10(G) of MGE's tariffs, which includes a 12-month budget payment plan designed to cover all pre-existing arrears, current bills, and an estimate of the ensuing bills.⁶
 - i. Ms. Parks' existing arrears amount is \$2,654 and her estimated annual ABC amount is \$1,100, which totals \$3,754.
 - ii. Under the calculations in Section 3.10(G), Ms. Parks would pay an initial deposit of \$450.48 (12% of the 12-month total budget bill

² Section 2.05 (C), Sheet No. R-13, of MGE's tariffs. See also discussion of the Cold Weather Rule, *infra*.

³ Section 3.10, beginning at Sheet No. R-27. The Cold Weather Rule tariffs are used here given the proximity to November 1, the beginning of the Cold Weather Rule period.

⁴ Section 3.10(F)(2), Sheet No. R-29.

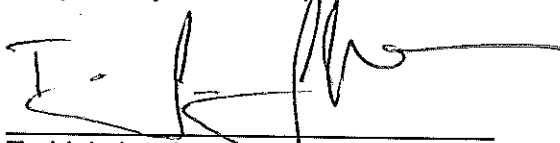
⁵ Section 3.10(F)(3), Sheet No. R-29.

⁶ Section 3.10(G)(2)(a), Sheet No. R-29.1.

- amount).⁷ Thereafter, Ms. Parks would be required to pay \$300.32 per month for the remaining 11 months of the payment agreement.
- iii. If Ms. Parks is unable to pay this amount over the twelve months, Ms. Parks should indicate this prior to entering into a payment agreement. After reviewing Ms. Parks' assertions as to her inability to pay these monthly payments, the Company will make a good faith effort to obtain mutual agreement with Ms. Parks to obtain payment from her over a reasonable period in excess of 12 months.⁸
 - c. Ms. Parks would comply with requests of the Company for information regarding her monthly or annual income, consistent with the Cold Weather Rule reconnection provisions.⁹
 - d. Ms. Parks would comply with the other provisions of MGE's tariffs.
 - e. Although not addressed in MGE's tariffs, MGE would agree that entering into such a payment agreement will in no way serve, during the course of this Commission proceeding, as an admission by Ms. Parks that the disputed amount is accurate or owed by her.
 - f. MGE would agree that should the Commission find that MGE violated its tariffs and that therefore Ms. Parks does not owe the disputed amount, it will refund those disputed amounts to Ms. Parks, with interest as specified in MGE's tariffs.
 - g. MGE would keep Staff and the Office of the Public Counsel informed of and involved with Ms. Parks' payment agreement and interaction with payment assistance agencies.

WHEREFORE, MGE prays that the Commission will accept this filing in response to its Order Directing Filing of October 4, 2011.

Respectfully submitted,



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⁷ Section 3.10(G)(2)(b).

⁸ Section 3.10(G)(2)(b).

⁹ Section 3.10(F)(4), Sheet No. R-29.

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ATTORNEYS FOR SOUTHERN UNION
COMPANY, d/b/a MISSOURI GAS ENERGY

CERTIFICATE OF SERVICE

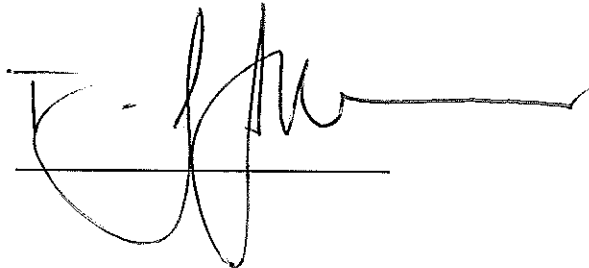
I do hereby certify that a true and correct copy of the foregoing document has been sent by U.S. Mail, postage prepaid (to Ms. Parks), and by electronic mail (to Ms. McClowry and Mr. Mills) this 25th day of October to:

Meghan McClowry
Missouri Public Service Commission
Governor's Office Building
200 Madison Street
P.O. Box 360
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meghan.mcclowry@psc.mo.gov

Lewis Mills
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P.O. Box 7800
Jefferson City, Missouri 65102
lewis.mills@ded.mo.gov

Janet E. Parks
302 Kimberly Drive

Belton, MO 64012

A handwritten signature in black ink, appearing to read 'J. E. Parks', is written over a horizontal line.