

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

Robert F. Morgan,	)	
	)	
Complainant,	)	
v.	)	Case No. GC-2007-0054
	)	
Laclede Gas Company,	)	
Respondent.	)	

**LACLEDE GAS COMPANY’S ANSWER TO COMPLAINT**

**COMES NOW** Laclede Gas Company (“Laclede” or “Company”), pursuant to the Commission’s August 10, 2006 Notice of Complaint in the above captioned case, and submits its Answer to the Complaint filed against Laclede by Robert F. Morgan, MD. In support thereof, Laclede states as follows:

1. This case involves a situation in which Laclede’s meter at the Morgan residence malfunctioned during the winter of 2005-06. The situation was rectified by Laclede on or about March 27, 2006. Meanwhile, Dr. Morgan had been billed, and paid, only \$62.80 for December, and \$12.63 per month for January, February and March 2006. Pursuant to its tariffs, Laclede adjusted the undercharge based on the probable period during which the undercharge existed, and billed Dr. Morgan accordingly.

2. Dr. Morgan and Laclede appear to have very little at issue in this case. Dr. Morgan understands that the gas meter at his home was not working properly during the past winter, and he is willing to pay reasonable charges for that period of time. He basically only disputes two issues: (1) the actual period that was covered by the undercharge; and (2) what amount should be billed for that period.

3. Regarding Issue No. 1, Dr. Morgan believes that the meter operated properly through the billing month ended December 22, 2005, for which he was billed \$62.80 based on usage of 34 ccf (35.2 therms). Dr. Morgan therefore prefers to allow the December billing month to stand as is, and not be subject to adjustment. Laclede contends that usage for December indicates that its meter did not operate properly for the entire December billing month. Laclede relies on Dr. Morgan's historical usage, taking heating degree data into account, as follows:

<u>December Billing Month for Year:</u>	<u>Heating Degree Days</u>	<u>Usage (in ccf)</u>
2003	848	185
2004	783	163
2005	990	34

Based on the fact that December 2005 was the coldest December of the past three years, the customer's usage data indicates that the meter likely stopped working early in the December billing month. Therefore, it is valid for Laclede to include the December billing month in its undercharge adjustment.

4. Regarding Issue No. 2, Dr. Morgan complains that the adjusted billings for 2005-06 are higher than the previous year. Laclede notes that higher gas prices in the winter of 2005-06 cause bills for that period to appear higher in comparison to previous years. In performing an adjustment, the focus must be on usage, and not on rates or dollars. The usage charged by Laclede in performing Dr. Morgan's adjustment was not only fair, but favorable to the customer. Although total heating degree days for the adjustment period were generally consistent with heating degree days for that period over

each of the past two years, the total usage applied for the adjustment period is less than both of the two prior years, and also clearly the lowest of the three years in use per heating degree day.

WHEREFORE, Laclede respectfully requests that the Commission accept Laclede's Answer.

Respectfully submitted,

**/s/ Rick Zucker**

Rick Zucker  
Assistant General Counsel  
Laclede Gas Company  
720 Olive Street, Room 1516  
St. Louis, MO 63101  
(314) 342-0533 Phone  
(314) 421-1979 Fax  
rzucker@lacledegas.com

**Certificate of Service**

The undersigned certifies that a true and correct copy of the foregoing Answer was served on the Complainant, the General Counsel of the Staff of the Missouri Public Service Commission, and the Office of Public Counsel on this 11th day of September, 2006 by United States mail, hand-delivery, email, or facsimile.

**/s/ Rick Zucker**