

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

William Rapp,	)	
	)	
Complainant,	)	
	)	Case No. GC-2007-0164
v.	)	
	)	
Laclede Gas Company	)	
	)	
Respondent.	)	

**LACLEDE GAS COMPANY’S
ANSWER AND MOTION TO DISMISS COMPLAINT**

COMES NOW Laclede Gas Company (“Laclede” or “Company”), pursuant to the Commission’s October 25, 2006 Notice of Complaint in the above captioned case, and submits its Answer and Motion to Dismiss the Complaint filed against Laclede by William Rapp (“Mr. Rapp” or the “Customer”) on October 24, 2006. In support of its Answer and Motion to Dismiss Complaint, Laclede states as follows:

1. In his Complaint, Mr. Rapp states the following:
 - A. He resents being disturbed to permit Laclede workers to enter his home to work on or read the meter located inside his home;
 - B. He resents having estimated bills that resulted in an overcharge;
 - C. He seeks a guarantee that the new automated meter reading (“AMR”) unit on his meter will work properly;
 - D. He is disturbed that visits to his home by Laclede personnel required time away from commission-paid work;
 - E. He lives on a fixed social security income.

2. Mr. Rapp seeks the public display of this complaint; payment of 6% interest on overestimated payments; an apology from Laclede; and, as stated above, a guarantee that the AMR unit on his meter will work properly.

3. In response, Laclede admits that its meter is inside Mr. Rapp's home. Laclede admits that in July 2003, it became apparent that the meter reading device in Mr. Rapp's home had stopped providing reads. In August 2003, Laclede contacted Mr. Rapp via telephone and offered to set up an appointment to repair or replace the device. Mr. Rapp declined to make an appointment, and instead insisted on receiving an appointment request in writing. Accordingly, in August 2003, Laclede sent Mr. Rapp a letter requesting that he call to schedule an appointment. Mr. Rapp declined to do so. Laclede ultimately changed the meter, removed the device, and placed Mr. Rapp back on the meter reading route. Laclede is without information or belief to state whether Mr. Rapp's work has made him unavailable for meter readings. However, Laclede is willing to concede this point based on Mr. Rapp's representations.

4. In May 2006, Laclede obtained an actual meter reading indicating that Laclede had overestimated Mr. Rapp's usage by approximately \$160 since the previous meter reading in 2005. Mr. Rapp has since requested and received a refund check in the amount of his then current credit balance.

5. At the same time Laclede obtained the May 2006 meter reading, Laclede installed an AMR unit on the meter in Mr. Rapp's home. Laclede has now received, and billed to Mr. Rapp, actual meter readings for five consecutive months.

6. Regarding the payment of interest on overcharges, Laclede tariffs and Commission rules neither provide for Laclede to pay interest on overcharges, nor to

collect interest on undercharges. Laclede would note that in Mr. Rapp's case, such interest at 6% per annum would calculate to approximately \$5 of interest income to Mr. Rapp, before taxes.

7. Laclede regrets any inconvenience caused to Mr. Rapp by Laclede's repeated efforts to access its inside meter. With the AMR unit now installed, Laclede intends to reduce its need to disturb Mr. Rapp to those instances where Laclede is required to gain entry by Commission safety or other rules.

8. Since Mr. Rapp has received all requested relief to which he is entitled, Laclede requests that the complaint be dismissed.

WHEREFORE, in light of the foregoing, Laclede respectfully requests that the Commission accept Laclede's Answer and find that this complaint should be dismissed, because the customer has received all requested relief to which he is entitled.

Respectfully submitted,

/s/ Rick Zucker

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Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing Answer and Motion to Dismiss was served on the Complainant and on the General Counsel of the Staff of the Missouri Public Service Commission on this 24th day of November, 2006 by hand-delivery, email, facsimile or by placing a copy of such Answer postage prepaid, in the United States mail.

/s/ Rick Zucker_____