## BEFORE THE PUBLIC SERVICE COMMISSION

# OF THE STATE OF MISSOURI

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Name:	Cesar M. Alba Complainant	)	MAY 2 3 2007
VS.		)	Missouri Public Service Commission
Company Name	e: <u>Laclede Gas Co.</u> Respondent	,)	Service Commission

## COMPLAINT

Complainant resides at 3931 A. Minnesota Ave 2<sup>nd</sup> Fl., St. Louis, Mo. 63118

- 1. Respondent, Laclede Gas Company of 720 Olive Street, St. Louis, Mo. 63101, is a public utility under the jurisdiction of the Public Service Commission of the State of Missouri.
  - 2. As the basis of this complaint, Complainant states the following facts:

On October 12, 2006, I have requested gas service from Laclede Gas Co. and service man came to my apartment to turn on gas service. He inspected my gas lines that connects my appliances by spraying aerosol solution to the pipe connections and pipe joints to detect gas leaks in the basement apartment and the second floor apartment where my gas stove is located. After the testing, the service man was not able to detect not even a single leak. The service man turned on both my furnace and water heater. This apartment is a one bedroom one bath apartment.

On October 31, 2006, I received my first bill from Laclede Gas for \$153.24 plus Service Initiation of \$36.00 and service tax of \$6.39, a total of \$195.63 which is unusual high charge for gas service from 10-12-06 to 10-27-06. I have not used my heater that period due to unseasonably warm weather. See attached copy of the Laclede Gas bill as Appendix 1.

On December 18, 2006, I requested a meter reading from Laclede Gas Co. due to unusual high gas bill that I received on December 1, 2006. See attached copy of the Corrected Bill for gas service from 10-12-06 to 01-02-07 as Appendix 4.

On December 19, 2006, a service man came to my apartment and performed another test for gas leaks by spraying aerosol solution and again he found no leaks and he proceeded to install a new AMR (meter). He did not perform any compression test. After the new meter was installed and service man left, I smelled a gas near the newly installed meter and I immediately called the Laclede Gas to report the gas odor. Immediately that same day the Laclede Gas Co. service man came and turned off the gas line and he told me to call for a private contractor.

On December 20, 2006, I called a private contractor, Vitt Heating & Air Conditioning to inspect my gas lines for leaks. The method that he used was different from Laclede Gas Co. service man, instead of aerosol can solution spray, the testing that was used by Laclede Gas twice, Vitt Heating asked me for dish liquid soap and mix it with water in a plastic spray container and he sprayed in all the pipe joints and connections that run through three gas appliances such as gas furnace, water heater and gas stove. He also performed compression test before the spraying. With in few minutes after the spraying of

liquid dishwashing soap mixed with water, I can see with my own eyes the bubbles from joints the gas were leaking. Vitt Heating & Air Conditioning had replaced all pipes and pipe joints where the leaks were coming from and he also recommended to discontinue the gas line going to the second floor gas stove. After all the repairs were made, Vitt Heating performed the final compression test to probe to me that the repairs are successful. See attached copy of the Vitt Heating & Air Cooling Invoice # 0837 dated 12/20/06 with a total charge of \$612.79 for service rendered for parts and labor as Appendix A.

On February 2, 2007, Laclede Gas Co. sent me gas bill, a charge for gas service svc 01-02-07 to 01-31-07, an unusual high bill of \$516.60 in spite of the fact that I turned my thermostat to 57 Degrees and my gas stove had been disconnected. With the use of an electric oil radiator, I was able to keep my self warm in a one bedroom apartment the whole winter, the same method I used in my three bedroom apartment that I lived previously for 11 years. See attached copy of the Laclede Gas bill as Appendix 4.

To give you an example how much I was previously paying in my three bedroom one bath apartment in my previous residence at 7050 Dartmouth Ave, University, Mo, with the help of a local electric oil radiator heat to was able to cut my gas bill. I had been paying an average of \$79.00 a month during the winter months. See Attached copy of my Laclede Gas bills for the same period of time of the year November 2004 to February 2005 as Appendix B and C.

3. The Complainant has taken the following steps to present this complaint to the Respondent.

On February 8, 2007, I contacted the Missouri Public Service Commission in regards to the unusual high gas charges even with all the repairs that were made by a private contractor; the Laclede Gas Co maintains that they were correct.

On February 28, 2007, Laclede Gas sent me a letter that my inquiry to the Missouri Public Service Commission was referred to Laclede for investigation.

On March 07, 2007, the Missouri Public Service Commission responded to my complaints and decided that another inspection should be conducted.

On March 13, 2007, as the result of my complaint, a service man came to my apartment to make another inspection as requested by Missouri Public Service Commission. The service man checked my appliances and took notes on Kilowatts usage for each appliance. He asked me if I have the following appliances that are run by gas, such as: (1) Washer & Dryer (2) Gas Stove (3) Fire Place. I answered "no" to all of those. My gas line leading to my gas stove was cut off as recommended by my private contractor, therefore, I have been using electric stove since then. There are only two appliances left with gas usage, those are my gas water heater and my gas furnace.

On April 5, 2007, I received the new bill that reflects the charges for gas svc 03-02-07 to 04-02-07 for \$67.49. Now this is a big change on my bill after the last inspection of March 13, 2007 by the Laclede Gas Co. service man. See attached appendix 5.

The evidence shows that the service men for Laclede Gas Co. did not diligently and effectively tested leaks by using aerosol spray substance in two occasions without effective results, one on October 19, 2006 before the gas was turned on and the second time Laclede performed another spray testing on December 19, 2006 when they installed the new AMR. In a civil case, I don't have to prove beyond reasonable doubts to seek judgment for over charges claims as a result of negligence. I was the one who smelled the odor of gas as soon as the AMR was installed.

That the evidence shows that my private contractor, Vitt & Air Conditioning had used a very simple method by spraying dish liquid soap mixed with water to spray in the pipe connections and pipe joints that have resulted into successful conclusion in testing for gas leaks in my gas lines and further more Vitt & Air Conditioning had performed a compression test to arrive in highly accurate and effective conclusion. This further support the facts that Laclede Gas should be held responsible to all the over charges that were incurred during the months of October, 2006 to February 2, 2007 for their negligence.

WHERFORE, Complainant now requests the following relief for negligence in the performance of service their duty that resulted in a unusual very high charges, late charges and over charges that all of those charges should be dropped and that the Missouri Public Service Commission should impose punitive damages for such inexcusable negligence and over billings.

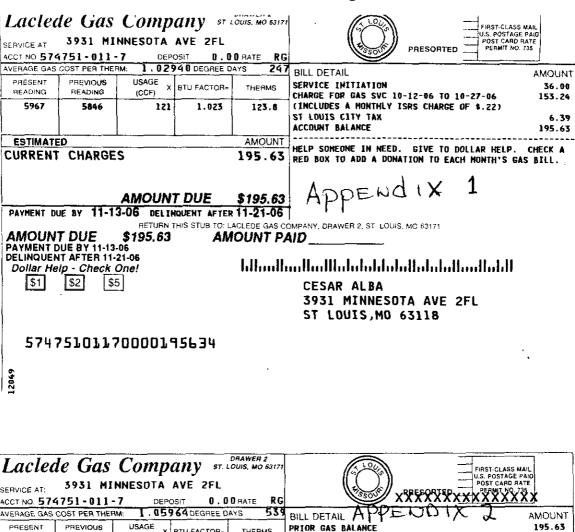
Furthermore, the Missouri Public Service Commission should order Laclede Gas Co. not to use aerosol spray with unknown substance and instead use a simple dish liquid soap with water so that they don't have any excuse for any failure to initially detect for gas leaks in the existing gas lines and pipe joints.

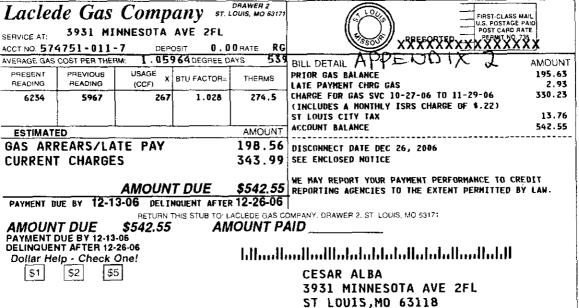
The Missouri Public Service Commission should investigate if this incident happened to prior tenant who were living on this same apartment to establish a pattern of deception on the part of Laclede Gas Co.

Here attached are all the bills and records provided by Laclede Gas from the time Laclede Gas Co. turned on my service to date as Appendix 1, 2,3,4,5,6 and 7.

May 18, 2007 Date Cesar M. Alba
Signature of Complainant

esser M. alba





### DRAWER 2 Laclede Ges Company ST LOUIS, MO 63171 FIRST CLASS MAIL U.S. FOSTAGE PAID POST CARD RATE PERMIT NO. 735 3931 MINNESOTA AVE 2FL SERVICE AT PRESORTED -ACCT NO 574751-011-7 DEPOSIT Q.QQRATE RG . 97216 DEGREE DAYS 1027 BILL DETAIL APPENdi AVERAGE GAS COST PER THERM: AMOUNT USAGE PREVIOUS PRIOR GAS BALANCE 500.73 BTU FACTOR: THERMS READING (CCF) LATE PAYMENT CHRG GAS 7.51 3767 3533 234 CHARGE FOR GAS SVC 01-31-07 TO 03-02-07 274.55 1.033 241.7 (INCLUDES A MONTHLY ISRS CHARGE OF \$.45) ST LOUIS CITY TAX 11.44 AMOUNT ACCOUNT BALANCE 794.23 **ACTUAL READING** GAS ARREARS/LATE PAY 508.24 HELP SOMEONE IN NEED. GIVE TO DOLLAR HELP. CHECK A **CURRENT CHARGES** 285, 99 RED BOX TO ADD A DOMATION TO EACH HONTH'S GAS BILL. AMOUNT DUE \$794.23 PAYHENT DUE BY 03-16-07 DELINQUENT AFTER 03-27-07

RETURN THIS STUB TO: LACLEDE GAS COMPANY DRAWER 2, ST LOUIS, MO 63171

AMOUNT DUE \$794.23
PAYMENT DUE BY 03-16-07

AMOUNT PAID\_\_\_\_

PAYMENT DUE BY 03-15-07
DELINQUENT AFTER 03-27-07
Dollar Hein - Check Opel

MOUNT PAID\_\_\_\_

Dollar Help - Check One! \$1 \$2 \$5

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ST LOUIS, MD 63118

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# Laclede Gas Company ST. LOUIS, MO 63171

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MO PUBLIC SERV (800) 392-4211 CESAR ALBA 3931 MINNESOTA AVE 2FL ST LOUIS,MO 63118

Appendix 4

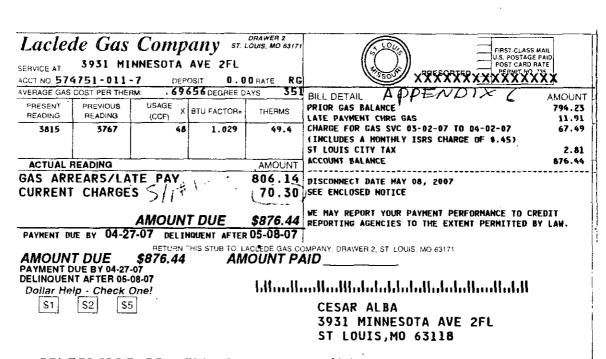
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3296	3222	418			ST LOUIS CITY TAX	21.52
		415	1.029	430.1	ACCOUNT BALANCE	378.12
					CORRECTED BILL	
				;	HELP SOMEONE IN NEED. GIVE TO DOLLAR HELP. RED BOX TO ADD A DOMATION TO EACH MONTH'S D	
ACTUAL	READING	-METER	CHANGE	AMOUNT	ENERGY SAVINGS TIP -TURN YOUR THERMOSTAT DO	DWN AT NIGH
GAS CR	EDIT/LAT	E PAY		160.00	EACH DEGREE LOWER SAVES MONEY ON YOUR HEAT:	ING BILLS
	T CHARGE			538.12		
PAYMENT DO	AMOUN]	. – .	WENT AFTER	\$378.12 02-02-07	\$50000	
		·			1158	

### Laclede Gas Company ST LOUIS MO 63771 3931 MINNESOTA AVE 2FL ACCI NO 574751-011-7 DEPOSIT 0.00 RATE RG . 97396 DEGREE DAYS 899 AVERAGE GAS COST PER THERM: BILL DETAIL PRESENT PARVIOUS USAGE PRIDE GAS BALANCE 378.12 X BTU FACTOR= THERMS READING READING PAYHENT THANK YOU 168.4D-CHARGE FOR GAS SVC 01-02-07 TO 01-31-07 3533 279.37 237 1.039 246.2 (INCLUDES A MONTHLY ISRS CHARGE OF \$.45) ST LOUIS CITY TAX 11.64 ACCOUNT BALANCE 500.73 **ACTUAL READING AMOUNT** 209.72 DISCONNECT DATE FEB 23, 2007 **GAS ARREARS** CURRENT CHARGES 291.01 SEE ENCLOSED NOTICE WE MAY REPORT YOUR PAYMENT PERFORMANCE TO CREDIT \$500.73 REPORTING AGENCIES TO THE EXTENT PERMITTED BY LAW. AMOUNT DUE PAYMENT DUE BY 02-14-07 DELINQUENT AFTER 02-23-07 BETURN THIS STUB TO LACLEDE GAS COMPANY DRAWER 2 ST LOUIS MO 63171 AMOUNT DUE \$500.73 AMOUNT PAID PAYMENT DUE BY 02-14-07 **DELINQUENT AFTER 02-23-07** Tellan Hereller (Malakakılı da Hadadları Mandkakıllı Dollar Help - Check One! \$1 \$2 CESAR ALBA

3931 MINNESOTA AVE 2FL ST LOUIS,MO 63118

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### LACLEDE GAS COMPANY STATEMENT OF BILLS & PAYMENTS FEBRUARY 09, 2007

APPENDIX 7

PAGE 0001

ALBA,CESAR 3931 MINNESOTA AVE 2FL ST LOUIS,MO 63118

SERVICE ADDRESS: 3931 MINNESOTA AVE 2FL ACCT. NO: 574751-011

DATE TRANSACTION	SERVICE DATES FROM - TO	METER READING	THERMS	BILLS/ Payments	BALANCE
BALANCE AS OF 10-19-06					0.00
10-19-06 SERVICE INITIATION FEE				36.00	36.00
10-31-06 REBILL	10/12/06-10/27/06	5967E	123.8	159.63	195.63
11-24-06 LATE PAY CHRG-GAS SERVICE	_			2.93	198.56
	10/27/06-11/29/06	6234E	274.5	343.99	542.55
12-19-06 METER CHANGE-REMOVE METER X00006190 12-19-06 METER CHANGE-REMOVE METER X00006190	SET METER X00003222				
12-26-06 PAYMENT-GAS SERVICE	SET METER X00003222				
12-28-06 LATE PAY CHRG-GAS SERVICE				196.00-	346.55
01-12-07 LATE PAY CREDIT-GAS SERVICE				5.20	351.75
01-12-07 BILL ADJUSTMENT CREDIT				8.13-	343.62
01-12-07 REBILL	10/12/0/ 01/02/07			503.62-	160.00-
01-18-07 PAYMENT-GAS SERVICE	10/12/06-01/02/07	3296R	430.1	538.12	378.12
01-24-07 PAYMENT-GAS SERVICE				118.40-	259.72
02-02-07 BILL	01/02/07-01/31/07	3533R	246.2	50.00-	209.72
<b>_</b>	01, 02, 07 01, 31, 07	3533K	240.2	291.01	500.73

TOTAL ACCOUNT BALANCE

\$500.73

THE ABOVE ACCOUNT BALANCE DOES NOT REFLECT ANY BUDGET OR PAYMENT ARRANGEMENTS YOU MAY HAVE MADE. REFER TO YOUR LAST BILL FOR INFORMATION ON YOUR AMOUNT DUE.

EXPLANATION OF METER READING CODES

R - REGULAR READING

S - CUSTOMER READING

E - ESTIMATE

&

					* APPENDIX A	ยช37
CHECK LIST	QUANTITY	ITEM OR PART DESCRIPTION	PRICE	AMOUNT	Vitt Heating & Air Conditioning	0001
COMPRESSOR	7.	16 GASCOCK		7.74	4719 MORGANFORD ROAD	
SUCTIONPSI	<del></del>		161	<del> </del>	ST. LOUIS, MO 63116	
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CLEAN COIL & CHECK FIN COND.  ENT					NAME COLORA ALBA	/ /
REFRIGERANT LEAK CHARGE	ļ			1098	STREET OG 31 AMINNI STA	PHONE
FAN AND MOTOR	<u> Z</u>	3/1. 16' N. PPLE		3.20	CITY STATE ZIP	WK, PHONE
UDLTS AMPS	/	Mar Couperns		2.52	MAKE MODEL SERIAL NUMBER	
CONTACTS TIGHT & CLEAN FAN PULLEYS (ADJUST BELT)	1-	<del></del>	24 (			WARRANTY CONTRACT
CHECK, LUB BEARINGS & MOTOR		14. 4 312 N.	742	2-56		SERVICE CONTRACT  Y NORMAL
EVAPORATOR COIL		34" 45° EC		4.76	JOB JAM (	RES. COMM.
CLEAN COIL & CHECK FIN	/	3/4" x 2 " NIPP.		198	DESCRIPTION OF WORK	SERVICE
ENT WB 'F LVG WB 'F	<b>-</b>	· .		1.36	CHARLE FULL RUND CAR	
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☐ INSPECT & CLEAN DRAIN ☐ AIR FILTERS	/-	1/2 COUPLIN	<u>G-</u>	2.34	PRESSURE TE - 1/240	
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■ BURNER & HEAT EXCHANGER ■ FUEL SUPPLY & PRESSURE	<del>                                     </del>			<del> </del>	1 .	
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TIME		RECOVERED? YES NO OTY.	S DIS-	ED? TES NO	MADE AS AGREED, THE SELLER SHALL HAVE THE RIGHT TO CHARGE	
MILEAGE ENDING	R		REFRIG	ERANT DISPOSAL	REMOVE SAME AND THE SELLER WILL BE HELD HARMLESS FOR ANY DAMAGES RESULTING FROM THE REMOVAL THEREOF.	62/
		RECYCLED? YES NO			1	
START -	G Q	RECLAIMED?	OUR PERSON	<b>VOEL</b> );		
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### Lactede Gas Company ST LOUIS, MO 63171 FIRST CLASS MAIL 7050 DARTMOUTH AVE 2FL TERMINE AT PRESONTED ACCT NO 361013-006-2 DEPOSIT 0.00 RATE RG AVERAGE GAS COST PER THERM: . 63543 DEGREE DAYS 66B BILL DETAIL AMOUNT PRESENT PREVIOUS USAGE PRIOR GAS BALANCE 37.47 X BTU FACTOR THERMS (CCF) PAYMENT THANK YOU 37.47-5277 CHARGE FOR GAS SVC 11-17-04 TO 12-17-04 72.72 5220 1.029 58.7 (INCLUDES A HONTHLY ISRS CHARGE OF \$,45) UNIVERSITY CI TAX 7.19 AMOUNT ACCOUNT BALANCE 79.91 ACTUAL READING **CURRENT CHARGES** 79.91 HELP SOMEONE IN NEED. GIVE TO DOLLAR-HELP, CHECK THE RED BOX BELOW TO ADD \$1 TO EACH MONTH'S GAS BILL. WANT TO PAY BY INTERNET? BY PHONE? BY CREDIT CARD? AMOUNT DUÉ \$79.91 SEE THE BACK OF THIS BILL FOR MORE INFORMATION. PAYMENT DUE BY 01-05-05 DELINQUENT AFTER 01-11-05 RETURN THIS STUBITO LACLIFIE GAS COMPANY CRAWER 2 ST LOUIS MO 53171 AMOUNT DUE \$7 PAYMENT DUE BY 01-05-05 DELINQUENT AFTER 01-11-05 \$79.91 **AMOUNT PAID** Idlandandhalldanddallaadblatddallaadl DOLLAR HELP CESAR ACBA 7050 DARTMOUTH AVE 2FL ST LOUIS, MO 63130

36101300620000079912

Lacled	de Gas	Compai	ny 57. L	RAWER 2 DUIS, MO 63171	FIRST-CLASS U.S. POSTACE	
SERVICE AT	7050 DAR	VA HTUOMT!	E 2FL		PRESORTED POST CARD PERMIT NO.	
ACCT NO 361	013-006-	Ž DEPOSIT	0.00	RATE . RG	3600	
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	EARS/LAT	E PAY	X	768.51	ACCOUNT BALANCE	156.15
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AMOUNT	TOUE	\$156.15		DUNT PA	CMPANY DRAWER 2, ST LOUIS MO 63171	1
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