

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Timothy M. Woodbury,)	
)	
Complainant,)	
)	
v.)	<u>Case No. GC-2007-0198</u>
)	
Laclede Gas Company,)	
)	
Respondent.)	

ORDER DIRECTING FILING

Issue Date: April 4, 2007

Effective Date: April 4, 2007

On November 27, 2006, Timothy M. Woodbury filed a formal complaint against Laclede Gas Company ("Laclede"). By order dated March 19, 2007, the Commission set the matter for a prehearing conference in Room 305 of the Governor Office Building on Monday, April 2, 2006, beginning at 2:00 p.m. No continuance was secured or even requested by any party beforehand, and the hearing was convened at the scheduled time. While Laclede, the Commission's Staff, and the Office of the Public Counsel appeared for the hearing by their counsel, Mr. Woodbury did not appear, either in person or by telephone.

As the Commission explicitly advised the parties in its March 19, 2007 order, Commission Rule 4 CSR 240-2.090(5) states: "Failure to appear at a prehearing conference without previously having secured a continuance shall constitute grounds for dismissal of the party or the party's complaint, application or other action unless good

cause for the failure to appear is shown.” Furthermore, the order also expressly stated that “the parties are required to be present for the prehearing conference,” either in person or by telephone. Since Mr. Woodbury failed to appear at the April 2, 2007 prehearing conference without previously having requested or secured a continuance, under the plain terms of this Rule, his complaint against Laclede is subject to dismissal unless he shows “good cause for [his] failure to appear.” Accordingly, Mr. Woodbury will be granted fifteen days to file a pleading showing good cause for his failure to appear at the conference.

IT IS ORDERED THAT:

1. Timothy M. Woodbury shall file a pleading, by no later than 5:00 p.m. on April 19, 2007, showing good cause for his failure to appear at the prehearing conference in this matter, which was scheduled to take place in Room 305 of the Governor Office Building on Monday, April 2, 2006, beginning at 2:00 p.m.
2. This order shall become effective on April 4, 2007.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Benjamin H. Lane, Regulatory Law
Judge, by delegation of authority
under Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 4th day of April, 2007.