

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

Stanley Lewis,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>Case No. GC-2007-0267</u></b>
	)	
Laclede Gas,	)	
	)	
Respondent.	)	

**ORDER DIRECTING FILING**

Issue Date: March 22, 2007

Effective Date: March 22, 2007

Stanley Lewis filed a formal complaint against Laclede Gas Company ("Laclede") on January 16, 2007. Mr. Lewis' complaint alleges that Laclede must be either overcharging him for gas or not giving him "real" meter readings because, based upon the square footage of his home, his gas bill is too high. Mr. Lewis asks that Laclede be ordered to give him some of his money back.

On January 17, 2007, the Commission notified Laclede of the complaint and allowed it thirty days in which to answer as provided by Commission Rule 4 CSR 240-2.070(7). The same day, pursuant to 4 CSR 240-2.070(10), the Commission ordered its Staff to commence an investigation of Mr. Lewis' formal complaint and to file a report concerning the results of its investigation no later than two weeks after Laclede filed its answer to the complaint.

Laclede filed its Answer and Motion to Dismiss Complaint on February 20, 2007.<sup>1</sup> The answer avers that Mr. Lewis has owned and received gas service at his current residence, 5739 Hamilton in Jennings, Missouri, since August 2000, and that his account is paid current. Laclede states that its meter is located on the outside of Mr. Lewis' home, that it has received regular and consistent meter readings from this meter, and that it has at all times issued bills to Mr. Lewis based on Commission-approved tariff rates.

Laclede's answer further indicates that according to St. Louis County real estate records, Mr. Lewis lives in a 760 square foot ranch style home with a full basement, built in 1959. While his gas usage has been somewhat higher than average for a home of this size, Laclede explains that square footage is only one of many factors in evaluating usage, including the age, condition and efficiency of the furnace, along with the weatherization quality of the home. Moreover, according to Laclede, over the past three years, Mr. Lewis' gas usage has steadily declined, going from 1,297 CCF in 2004 to 1,239 CCF in 2005, and then down to only 975 CCF in 2006. Laclede also explained that although those figures are not normalized to account for weather, Mr. Lewis' gas bills during this period were likely materially affected by the higher cost per CCF of the gas he used.

On March 2, 2007, Mr. Lewis filed a letter with the Commission indicating that as a certified journeyman carpenter with 29 years of experience, he had personally winterized his home at 5739 Hamilton. The letter also stated that when he bought that home in 2000, Laclede checked the gas furnace for proper operation.

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<sup>1</sup> The Answer was filed four days (one business day) out of time. However, on February 22, 2007, the Commission granted Laclede's motion for leave to file it out-of-time.

Finally, on March 13, 2007, after investigating Mr. Lewis' complaint and performing an analysis of the billing statements related to his residence over the past three years, Staff filed its verified report.<sup>2</sup> In particular, Staff concluded:

Mr. Lewis' annual gas usage over the past three years has trended downward, appearing to be the result of [his] efforts to improve energy efficiency. However, given the higher price of gas and the colder temperatures experienced this year, the actual usage and bills rendered for that usage appear correct based on Staff's investigation and analysis of Mr. Lewis' billing statements. Staff's investigation shows that Laclede has not violated its approved tariff or any Commission rules for the billings rendered to Mr. Lewis. Therefore, Staff recommends that the Complainant's case be dismissed in its entirety.

At this stage of his case, Mr. Lewis has not stated any facts upon which the Commission could conclude that Laclede has violated its approved tariff, applicable Commission rules, or Missouri statutes in making meter readings or preparing any of the bills he has received for natural gas service at his home. Therefore, the Commission would like to hear from Mr. Lewis before ruling on Laclede's Motion to Dismiss his complaint and deciding whether to accept the recommendation of its Staff that it be dismissed. Accordingly, Mr. Lewis will be given twenty days from the date of this order to file a pleading which addresses the statements contained in Laclede's answer and Staff's report in this matter and sets forth the legal or factual reasons why he agrees or disagrees with those statements. (Attached to this order is a letter further explaining this process and providing other helpful information.)

**IT IS ORDERED THAT:**

1. Stanley Lewis shall file a pleading, by not later than 5:00 p.m. on Wednesday, April 11, 2007, which addresses the statements contained in Laclede's answer and Staff's

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<sup>2</sup> Staff's report and recommendation were originally due on March 6, 2007. However, on March 2, 2007, the Commission granted Staff's motion for leave to file them on or before March 13, 2007.

report in this matter and sets forth the legal or factual reasons why he agrees or disagrees with those statements.

2. This order shall become effective on March 22, 2007.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

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 22nd day of March, 2007.