

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Norman Harrold,)	
)	
Complainant,)	
)	
v.)	<u>Case No. GC-2007-0311</u>
)	
Laclede Gas Company,)	
)	
Respondent.)	

ORDER DIRECTING FILING

Issue Date: January 23, 2008

Effective Date: January 23, 2008

On February 22, 2007, Norman Harrold filed a formal complaint against Laclede Gas Company ("Laclede"). By order dated January 3, 2008, the Commission set that complaint for an evidentiary hearing in Room 305 of the Governor Office Building on Wednesday, January 23, 2008, beginning at 8:30 a.m. No continuance was requested or secured by any party beforehand, and the hearing was convened at 8:40 a.m. While Laclede and the Commission's Staff appeared for the hearing by their counsel, Mr. Harrold did not appear, either in person or by telephone, despite the fact that the hearing was delayed for ten minutes to accommodate any party that was not present at the scheduled start time of 8:30 a.m.

Mr. Harrold did call the Regulatory Law Judge's office number at 8:45 a.m. on January 23, at which time he left a voice mail message indicating that he wished to participate in the hearing by phone. In this regard, the Commission's January 3 order setting the complaint for hearing expressly stated: "Although the parties are strongly

encouraged to attend the hearing in person, any party wishing to participate by telephone will be permitted to do so after notifying the Regulatory Law Judge by calling 573-751-7485 by no later than noon on January 17, 2008.”

On the day before the evidentiary hearing was scheduled to take place, Laclede filed a motion requesting that the Commission cancel the hearing and dismiss Mr. Harrold’s complaint. In particular, Laclede moved that the Commission dismiss the complaint on two alternative grounds: (1) that Mr. Harrold “has no standing to bring a case to adjust the amount due under [his adult daughter Kenya Grimmet’s] account;” and (2) that Mr. Harrold’s original complaint of February 22, 2007 had been satisfied since Laclede was still willing to grant him (or Ms. Grimmert instead of him) all the relief he had originally sought. On the same day, Staff filed a response to Laclede’s pleading, stating that it agreed with Laclede’s motion.

As the Commission noted in its January 3 order scheduling an evidentiary hearing in this matter for a second time, “[t]he time for further delay, which has very likely worked to the detriment of all of the parties to this case, is over.” Accordingly, Mr. Harrold will be granted one week to file a pleading responding to Laclede’s January 22, 2008 motion to dismiss and Staff’s response thereto, after which the Commission will be in a position to promptly decide the issue.

IT IS ORDERED THAT:

1. Norman Harrold shall file a pleading, not later than 5:00 p.m. on Wednesday, January 30, 2008, responding to Laclede Gas Company’s January 22, 2008 motion to dismiss and Staff’s response thereto.

2. This order shall become effective on January 23, 2008.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', with a stylized, cursive script.

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 23rd day of January, 2008.