

Exhibit No.:  
Issues: Quality of Service  
Witness: Robert R. Leonberger  
Sponsoring Party: MO PSC Staff  
Type of Exhibit: Surrebuttal Testimony  
Case No.: GC-2006-0318  
and GC-2006-0431  
Date Testimony Prepared: September 28, 2006

**MISSOURI PUBLIC SERVICE COMMISSION**

**UTILITY OPERATIONS DIVISION**

**SURREBUTTAL TESTIMONY**

**OF**

**ROBERT R. LEONBERGER**

**LACLEDE GAS COMPANY**

**CASE NO. GC-2006-0318 and GC-2006-0431**

**Jefferson City, Missouri  
September 2006**

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

Staff of the Public Service Commission of )  
Missouri )

v. )

Laclede Gas Company )

Case No. GC-2006-0318

**AFFIDAVIT OF ROBERT LEONBERGER**

STATE OF MISSOURI )  
 ) ss  
COUNTY OF COLE )

Robert Leonberger, of lawful age, on his oath states: that he has participated in the preparation of the following Surrebuttal Testimony in question and answer form, consisting of 4 pages of Surrebuttal Testimony to be presented in the above case, that the answers in the following Surrebuttal Testimony were given by him; that he has knowledge of the matters set forth in such answers; and that such matters are true to the best of his knowledge and belief.

  
Robert Leonberger

Subscribed and sworn to before me this 28<sup>th</sup> day of September, 2006.

  
Notary Public



DAWN L. HAKE  
My Commission Expires  
March 16, 2009  
Cole County  
Commission #05407643

My commission expires \_\_\_\_\_

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**SURREBUTTAL TESTIMONY**  
**OF**  
**ROBERT R. LEONBERGER**  
**LACLEDE GAS COMPANY**  
**CASE NO. GC-2006-0318 AND GC-2006-0431**

Q. Are you the same Robert R. Leonberger that filed Direct Testimony in this Case?

A. Yes.

Q. What is the purpose of your surrebuttal testimony?

A. The purpose of my testimony is to address the statements contained in the rebuttal testimony of Laclede witnesses Mark D. Lauber and James A. Fallert relating to the Staff's issues contained in COUNT II of the Complaint in Case No. GC-2006-0318.

Q. On page 4, starting on line 18 of Mr. Lauber's testimony, while addressing instances where service to the location is supposed to be shut-off, but subsequent meter readings have indicated unauthorized gas usage, he indicates that the Staff has not "alleged that Laclede's existing approach to these situations is in violation of any Commission rule or requirement." Laclede witness Mr. Fallert makes a similar statement on page 31, starting on line 14 on his rebuttal testimony. Are these statements correct?

A. While it is true that the Staff did not allege a violation of a *specific* Commission regulation, the Staff noted generally the safe and adequate service provisions in Section 393.130 RSMo. However, it should be noted that the Laclede tariff provisions noted on page 5 starting on line 16 of my Direct Testimony that require customers to be disconnected within four days of requesting their service to be disconnected are not mandated

1 by any *specific* existing Commission rule or regulation, but were deemed important enough to  
2 be included in the Company's tariffs approved by the Commission. I proposed that similar  
3 time frames be used in this situation. As indicated in my Direct Testimony, if unauthorized  
4 gas usage is discovered, the Staff believes the Company should act promptly to shut-off the  
5 gas or determine the correct billing. The Staff proposed a four day time frame since that time  
6 limit was contained in the referenced tariff. That tariff provision involves shutting off the gas  
7 when requested by a customer and I simply suggested using a time frame similar to one  
8 already contained in the existing tariff. Therefore, the Staff does not believe it is an "arbitrary  
9 four day period" as indicated on page 5, line 23 of Mr. Lauber's Direct Testimony.

10 Q. On page 5, lines 11-22 of Mr. Lauber's Testimony, he states that "odorizing  
11 the gas and educating the consumers to call in any odor they encounter as soon as possible"  
12 and "odorization, and the on-going public education measures required under the  
13 Commission's pipeline safety regulations...provide a high level of safety in a wide variety of  
14 conditions, including cases where potential unauthorized usage leads to a serious leak." Do  
15 you agree with these assessments?

16 A. While I agree that odorization of natural gas is vital to safety and provides an  
17 additional layer of safety to the public, I do not believe it would be an effective means of  
18 dealing with leaks in this situation.

19 Q. Please explain.

20 A. Odorizing natural gas and educating consumers and the public of the  
21 importance to contact Laclede whenever the odor of natural gas is detected is an extremely  
22 important part of providing a high level of safety. However, I am doubtful that a person that  
23 is taking natural gas in an unauthorized manner will be as likely to contact Laclede to

1 investigate an odor of natural gas as a Laclede customer or a member of the general public,  
2 since they are receiving service in an unauthorized manner and a leak investigation by  
3 Company personnel would probably result in their service being disconnected.

4 Q. Starting on page 6, line 20 of Mr. Lauber's Testimony, a proposal is made on  
5 how the Company believes the situation should be addressed. Do you agree with this  
6 proposal?

7 A. No. Laclede's proposal would give notice to the occupant by sending a letter  
8 notifying the occupant that gas usage at the location is unauthorized and telling them to  
9 contact Laclede to arrange for service or face disconnection in 30 days. Sending a notice and  
10 allowing 30 days to respond would probably, at a minimum, take 5 weeks. If Laclede is not  
11 contacted by the occupant, the Company would have to arrange to physically inspect the  
12 premises and attempt to shut-off the gas. In this scenario, depending on scheduling, the  
13 service would likely continue to operate for a minimum of a month and a half after discovery  
14 of unauthorized usage, if everything goes well. If shut-off is not possible (due to  
15 inaccessibility of an outside valve), another crew would have to be scheduled to complete the  
16 shut-off or to disconnect the service. This process could likely take approximately 2 months  
17 to shut-off the gas from the time of discovery of unauthorized usage. Not shutting off the gas  
18 promptly is unacceptable because it would create potential safety issues and taking weeks  
19 and/or months to shut-off the service at a location of unauthorized usage could also lead to  
20 collection issues.

21 Q. Should the Staff's proposal to promptly shut-off the gas where unauthorized  
22 usage is discovered contain some exceptions?

1           A.     Yes. Some examples noted on page 6 starting on line 4 of Mr. Lauber's  
2 testimony would need to be addressed. If a "new customer had not yet contacted Laclede"  
3 (Note: I do not believe it would be a "customer" since there is unauthorized usage), an  
4 occupant that "has not been immediately entered into Laclede's system, or because of some  
5 other delay in the establishment of service or billing", the Staff believes those cases should be  
6 promptly identified and a "customer" entered into the account for proper billing. In addition,  
7 situations involving multi-family meters where an individual meter in question can not be  
8 turned off, or involving shut-offs in cold weather could be addressed in tariff provisions. The  
9 Staff believes that regardless of the situation, Laclede records indicate unauthorized usage is  
10 occurring at the location and the Company has no knowledge of the conditions to which the  
11 gas is flowing or the circumstances at the address. Therefore, the Company should act  
12 promptly to address the unauthorized usage when discovered and should develop time frames  
13 for disconnection of service at locations where unauthorized usage has been discovered by  
14 Laclede, that are similar to the time frames contained in tariff provisions on *P.S.C. MO. No. 5*  
15 *Consolidated, Sixth Revised Sheet No. R-14...16.*

16           Q.     Does this conclude your surrebuttal testimony?

17           A.     Yes.