

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

**FILED**

FEB 13 2007

Missouri Public  
Service Commission

Mary Keaton,

Complainant,

v.

Laclede Gas Company

Respondent,

Case No. GC-2007-0204

**REBUTTAL TO STAFF REPORT**

**COMES NOW** Mary Keaton, Complainant in rebuttal to the Staff of the Missouri Public Service Commission (Staff), pursuant to a December 4, 2006 *Order Directing Filing* issued by the Missouri Public Service Commission (Commission) and Commission Rule 4 CSR 240-2.070(10, and rebuts the Staff Report submitted respecting its investigation as a non-public and "Highly Confidential" document.

1. I, Mary Keaton (Complainant) did file a formal complaint against Respondent Laclede Gas Company (Laclede) on November 30, 2006 not alleging, but stating, I received a final bill for \$3,458.87. I, Mary Keaton (Complainant) requested that Laclede adjust the bill to a reasonable amount not without manipulation of the readings and the amount due. All of the readings that were being charged to me were estimated readings and not actual readings as indicated on (schedule 1) in the staff report. Also, the answer to the complaint filed by Laclede on January 3, 2007, which clearly states the usage was significantly less than the amount billed. On December 4, 2006, the Commission issued its Order ordering the Staff to conduct a formal investigation of the Complaint and to file a report concerning the results of that investigation no later than January 10, 2007. I the Complainant am rebutting the results of this investigation.

2. In an attached Staff Report (Appendix A) which is not included in this report and/or is not properly labeled where Staff recommends that Laclede establish a long term payment arrangement for the same period of time as the debt occurred and that the Commission dismiss this case on the basis that the Complainant is the responsible party at both billing addresses. Staff is in grave error of their findings that the number of accounts involved, the number of residences and the transfer of debt has contributed to the confusion of the Complainant's debt and responsibility. The Staff indicates in their report that I, Mary Keaton live out-of-state and then it also states, I reside in St. Louis, MO at 8689 Oriole Avenue 1FL. I rebut the Staff in reporting that it believes Respondent is not in violation of any Commission rules or regulations. The staff's belief is not sufficient evidence to dismiss this complaint. The facts should be considered not someone's belief as well as to recommend payment arrangement on a disputed charge that is in excess of the amount that is actually due is totally unwarranted. Laclede has indicated in their answer the readings are estimated and the usage is in error. The Staff's conclusion is inconsistent with the determination of the Commission's Consumer Services Department in the informal phase of this complaint because all the facts to the informal complaint were not included in the complaint at the time the complaint was submitted to the Commission by the Commission's Consumer Services Department representative, Contessa.

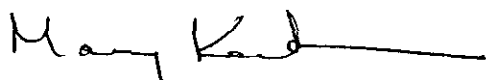
3. Commission Rule 4 CSR 240-2.070(10) states as follows:

The commission may order, at any time after the filing of a complaint, an investigation by its staff as to the cause of the complaint. The staff shall file a report of its findings with the commission and all parties to the Complaint case. The investigative report shall not be made public unless Released in accordance with sections 386.480, 392.210(2) or 393.140(3), RSMo, or during the course of a hearing involving the complaint.

Thus, the Staff's Report is a non-public document and the Staff is filing it as a "Highly Confidential" document.

**WHEREFORE**, Staff submits, in compliance with Commission Rule 4 CSR 240-2.070(10) as a non-public document, its Report respecting to its investigation, made pursuant to the Commission's December 4, 2006 *Order Directing Filing* is hereby rebutted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mary Keaton", followed by a long horizontal line extending to the right.

Mary Keaton, Complainant

## **REBUTTAL TO REPORT OF THE STAFF**

TO: Missouri Public Service Commission Official Case File No. GC-2007-0204, Mary Keaton vs. Laclede Gas Company

FROM: Mary Keaton, Complainant

DATE: February 11, 2007

### **Complaint:**

This section of the Staff Report is partially accurate, but does not contain in its entirety, the original complaint.

On December 4, 2006, upon receipt of my formal complaint, the Missouri Public Service Commission (Commission) issued an Order Directing Staff to investigate and file a report that addresses the issues stated in my formal complaint. I hereby refute the following findings of the Staff's investigation:

- I am the property owner of the four family residence at 5431 Cabanne Avenue, St. Louis, MO 63112-3305. I, indicated in my complaint that I had contacted the management company that manages the property and the company representing the tenant who resided at 5431 Cabanne Avenue 1E, St. Louis, MO. I did not request in writing any turn-off prior to the tenant moving into the residence. The gas meter was connected to the 1W apartment unit. I was informed by Laclede in another previously filed complaint that the three meters located at the residence, only 1W meter was actually working. The other two meters had been inactive since 1993 after an investigation into the matter by (Laclede representative, Beverly). However, all current charges billed to that address were based on estimated readings from the previous owner's consummation and not the current actual gas usage. I did and I continue to rebut the charges of \$3,458. 87 as being inaccurate charges.
- If Laclede's records indicate the bills were sent to the property address and later to the management company ~~employed~~ by me that could be an accurate statement. However, there was a change of address order made to have the bills forwarded to 12621 Heartleaf Street, Moreno Valley, CA 92553-1206, in which I received all mail forwarded to this address.
- On this item, it is definitely important to point out that on July 31, 2005, I met with Ms. Timms a representative at the Laclede office on Olive Street in St. Louis, MO. During the time prior to meeting with Ms. Timms, I received bill after bill forwarded to me from the management company, telephone calls from Laclede and disconnect notices. Ms. Timms told me that I had to pay the bill that was owed on the account in the amount of \$991.00. Since this was the result of our conversation, I requested Ms. Timms have the gas shut off at 5431 Cabanne

Avenue, St. Louis, MO 63112-3305 Account # 536118-002 until we could get the overcharges to this account resolved. In all the correspondence from Laclede and the Public Service Commission Staff, the amount of the original bill prior to adjustment is never mentioned in any of the communication in their reports. (See Schedule 1)

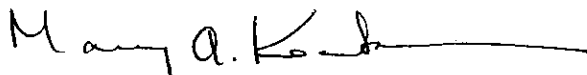
- It is definitely important to point out that in August 2005, I requested that service be turned off at the 5431 Cabanne Avenue address and Laclede did comply with that request. The issue of the billing was resolved in October 2005, after working with Ms. Reva Hoeft of Laclede, the amount owed on the account at that address was reduced to \$404.94. (See Schedule 1)
- On October 24, 2005, I requested the service be reestablished at the 5431 Cabanne Avenue location. Ms. Reva Hoeft of Laclede stated that upon payment of \$200.00 the service would be restored. I went to Schnuck's grocers and made the \$200.00 payment and the service was restored.
- On November 3, 2005, after Laclede received payment of \$200.00 from me the remaining portion of the debt ~~was~~ automatically transferred to the 8689 Oriole Avenue 1FL address where I had an active account in my name at the time as well as having the active account at 5431 Cabanne Avenue. After the service was restored why was the balance transferred to the Oriole address and not the Cabanne address since there was ~~in~~ my name at both addresses with a forwarding order on file. There were also active accounts at 8687 Oriole Avenue 1FL and 8689 Oriole Avenue 2FL that were transferred into the name of Angel Speight.
- Since November 3, 2005, to March 3, 2006 not March 30, 2006, the account had accumulated charges to \$3,458.94 (See Schedule 2) It is important to note the meter at 1W is and was not the "landlord unit". The 1W meter is registering usage for all of the units in the building. The meters at 1E and 2E have been inactive since 1993 as previous stated from the investigation of another previous informal complaint filed with the Commission.
- On June 20, 2006, I did contact Laclede and inquired about the cancellation of the landlord leave-on agreement for 8689 Oriole Avenue 2FL, which was supposed to be cancelled by the management company after my meeting with Ms. Timms in July 2005. On August 24, 2006, I telephoned Laclede because I was receiving bills for the above listed address to verify whether the leave-on agreement was still in effect after requesting it to be cancelled. The Laclede representative verified that the leave-on agreement had been cancelled, but that does not initiate the gas being turned off at that address. I requested the gas to be turned off and the earliest date for this to take effect was August 29, 2006. I scheduled an immediate turn-off for the 8689 Oriole Avenue 2FL location for that date.

- On September 12, 2006 the unpaid balance from 5431 Cabanne Avenue 1W was transferred to 8689 Oriole Avenue 1FL, where Ms. Keaton is the customer on record.
- On November 29, 2006, I contacted Laclede to have a bill sent to the property management company since I had not received any type of billing, telephone calls, disconnect notices other than the final bill in the amount of \$3,458.87. I was concerned about my gas being turned off at 8689 Oriole Avenue 1FL. When I contacted the Consumer Services department because I requested the bill for the 5431 Cabanne Avenue location be mailed to the property management office at 3605 Watson Road, St. Louis, MO and was told by a Laclede representative that they could not mail the bill to that address, but they could mail the bill to a Germany address if I requested. I contacted Tracy Leonberger of the Consumer Service department of the Public Service Commission in reference to keeping my gas on at the Oriole address and she stated she would have someone from Laclede call me. Soon thereafter, Rhonda from Laclede telephoned me and said she was instructed by Tracy Leonberger of the Consumer Services department to call me to set up payment arrangements for the \$3, 458.87. I told Rhonda that the amount of this bill is in dispute and until we could come to a resolution, I would not be making any payments on this amount and that concluded our conversation.

**Complainant Concludes:**

The staff's investigation in this case has determined that I have two accounts listed in my name as the responsible party. I refute the staff's belief in reference to the number of accounts and the transfer of debt involved in this matter has created confusion on my part as to the debt and responsibility of those accounts. This report so indicates that staff has verified that it appears the Company is not in violation of Commission rules or regulations. I further dispute these conclusions and find it impossible to indicate that unsubstantiated billing is not in violation of any of the Commission rules and/or regulations. Under these premises, the Staff's recommendations on beliefs and not facts as presented in this case should be stricken from being submitted to this case. This report is in conflict to the answer submitted by Laclede and should be considered null and void in its entirety and dismissed as part of this case.

Respectfully submitted,



Mary A. Keaton, Complainant