

Exhibit No.: \_\_\_\_\_  
Witnesss: Michael McKinzy  
Sponsoring Party: Michael McKinzy  
Case No.: GC-2003-0579

MISSOURI PUBLIC SERVICE COMMISSION

MICHAEL MCKINZY  
CASE NO. GC-2003-0579

**FILED<sup>3</sup>**  
**JAN 26 2004**  
**Missouri Public**  
**Service Commission**

SURREBUTTAL TESTIMONY OF  
MICHAEL MCKINZY, SR.

Jefferson City, Missouri  
January 2004

SURREBUTTAL TESTIMONY OF MICHAEL MCKINZY, SR.

CASE NO. GC-2003-0579

January 24, 2004

1. Q. WOULD YOU PLEASE STATE YOUR NAME AND HOME ADDRESS?  
A. My name is Michael McKinzy and my home address is 8004 Overton, Raytown, Missouri 64138.
2. Q. WHEN DID YOU BEGIN RESIDING AT 8004 OVERTON?  
A. I began residing at 8004 Overton on March 15, 2003.
3. Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY AT THIS TIME IN THIS PROCEEDING?  
A. The purpose of my testimony is to rebut the rebuttal testimony of Kim Labert and provide additional evidence to show how MGE's actions are not supported by the facts or its tariff.
4. Q. WAS TAMARA MCKINZY (FORMERLY NANCE) A MEMBER OF YOUR HOUSEHOLD AT 8004 OVERTON ON APRIL 9, 2003?  
A. No. Mrs. McKinzy resided at 6107 E. 8th Street in Kansas City, Missouri on April 9, 2003.
5. Q. WAS TAMARA MCKINZY (FORMERLY NANCE) A MEMBER OF YOUR HOUSEHOLD AT 8004 OVERTON ON JUNE 18, 2003?  
A. No. Mrs. McKinzy resided at 6107 E. 8th Street in Kansas City, Missouri on June 18, 2003.
6. Q. DID YOU LIST YOUR SPOUSE, TAMARA MCKINZY (FORMERLY NANCE) AT THE TIME OF APPLYING FOR GAS SERVICE ON APRIL 9, 2003, FOR YOUR RESIDENCE AT 8004 OVERTON?

7. A. No. I informed MGE personnel on April 9, 2003, that I had been divorced and had remarried, but that my wife did not live with me at 8004 Overton.
8. Q. WHEN DID YOUR WIFE, TAMARA MCKINZY (FORMERLY NANCE), BECOME A MEMBER OF YOUR HOUSEHOLD AT 8004 OVERTON?
- A. Tamara McKinzy became a member of my household on December 24, 2003.
9. Q. DID YOU RESIDE WITH TAMARA MCKINZY (FORMERLY NANCE) AT 3928 HIGHLAND AVE. IN KANSAS CITY, MISSOURI BETWEEN DECEMBER 17, 1998 AND MARCH 30, 1999?
- A. No. I resided at 4020 E. 51st Ter. in Kansas City, Missouri between December 17, 1998 and March 30, 1999, and I have never resided at 3928 Highland Ave.
10. Q. DID YOU KNOW TAMARA MCKINZY (FORMERLY NANCE) BETWEEN DECEMBER 17, 1998 AND MARCH 30, 1999?
- A. No. I met Tamara McKinzy (formerly Nance) for the first time on November 6, 2002.
11. Q. WAS THE GAS SERVICE SHUT OFF AT 8004 OVERTON ON JUNE 18, 2003, PURSUANT TO THE REQUEST OF MR. GERALD LEE, PROPERTY OWNER/LANDLORD?
- A. No. Mr. Gerald Lee never contacted MGE on June 18, 2003, regarding the gas service at 8004 Overton.
12. Q. DO YOU KNOW WHO CONTACTED MGE ON JUNE 18, 2003, REGARDING THE GAS SERVICE AT 8004 OVERTON?
- A. Yes, Mrs. Marilyn M. Lee, Mr. Gerald Lee's wife, contacted MGE on June 18, 2003, to inform them that I had purchased the property at 8004 Overton and that they should bill me for the gas service.

See Mrs. Marilyn M. Lee's affidavit dated January 24, 2004, attached hereto and incorporated herein by reference as Exhibit No. 1.

13. Q. DO YOU HAVE ANYTHING TO SUBSTANTIATE MRS. LEE'S TESTIMONY THAT SHE CALLED MGE ON JUNE 18, 2003?

A. Yes. I received from the Lees in the mail on June 20, 2003, Mr. Lee's final gas bill statement for 8004 Overton and Mrs. Lee had written on it:

"I called day before I got this. They said acct was now in your name so I don't know why I got this."

See Mr. Gerald Lee's final bill statement for 8004 Overton dated June 18, 2003, attached hereto and incorporated herein by reference as Exhibit No. 2.

14. Q. WERE YOU CONTACTED BY MGE ON JUNE 18, 2003, REGARDING GETTING THE GAS SERVICE TO YOUR RESIDENCE RESTORED?

A. Yes. I received a call from a MGE employee named Renee from (816) 360-5509 on June 18, 2003, to discuss restoring gas service to my residence at 8004 Overton.

15. Q. DID RENEE REQUEST DOCUMENTS FROM YOU ON JUNE 18, 2003, TO PROVE WHERE YOUR WIFE RESIDED?

A. Yes. I was told by Renee on June 18, 2003, that if I provided documents showing where my wife resided and if she did not reside with me, the gas service to my residence at 8004 Overton would be restored.

16. Q. DID YOU PROVIDE RENEE WITH THE DOCUMENTS SHE REQUESTED ON JUNE 18, 2003.
- A. Yes. I was instructed by Renee on June 18, 2003, to fax my documents to (816) 360-5569.
17. Q. DID YOU FAX RENEE THE DOCUMENTS SHE REQUESTED TO THE (816)360-5569 NUMBER SHE GAVE YOU ON JUNE 18, 2003.
- A. Yes. I faxed Renee my documents on June 18, 2003, which consisted of the following: a copy of my lease agreement for 8004 Overton and copies of my wife's pay statements in her maiden name, Tamara Nance, that showed an address of 6107 E. 8th Street in Kansas City, Missouri.
18. Q. WAS YOUR WIFE LISTED ON YOUR LEASE AGREEMENT FOR YOUR RESIDENCE AT 8004 OVERTON?
- A. No. My lease agreement for my residence at 8004 Overton show only me as lessee.
19. Q. AFTER YOU FAXED RENEE THE DOCUMENTS SHE REQUESTED, WAS THE GAS SERVICE TO YOUR RESIDENCE AT 8004 OVERTON RESTORED ON JUNE 18, 2003?
- A. No. After I faxed Renee the documents, she called back on June 18, 2003, and stated that the documents I had faxed her did not prove anything and that the only way I could get the gas service to my residence restored was pay my wife's gas bill.
20. Q. DOES THIS CONCLUDE YOUR TESTIMONY?
- A. Yes, at this time.

Michael E. McKinzy, Sr., )  
 )  
 Complainant, )  
 )  
 v. )  
 ) Case No. GC-2003-0579  
 )  
 Missouri Gas Energy, )  
 )  
 Respondent. )  
 )

STATE OF MISSOURI )  
 ) ss.  
COUNTY OF JACKSON )

1. My name is Michael E. McKinzy, Sr. I currently reside at 8004 Oveton in Raytown, Missouri.


2. Attached hereto and made a part hereof for all purposes is my Surrebuttal Testimony consisting of pages 1 through 6 and Exhibit 1 and Exhibit 2 attached hereto and incorporated herein by reference.

3. I hereby swear and affirm that my statements contained in the attached testimony are true and correct to the best of knowledge and belief.

Michael E. McKinzy  
Michael E. McKinzy, Sr.

Subscribed and sworn to me this 24th day of January 2004.

24th day of January 2004.

  
Betty Cobb  
Notary Public

1-24-2004

My Commission Expires July 22, 2006.



**BETTY J. COBB**  
Jackson County  
My Commission Expires  
July 22, 2006

1-23-04

Mo Gas Energy,

Re: Service at 8004 Overton KC Mo 64138

Michael McKinzy purchased above property  
in March of 2003. Because it was so

long ago details are difficult to remember.

I (Marilyn M. Lee) had been paying the  
bills. Last bill I paid <sup>3-24-03</sup> ~~can't tell you Keith McLaughlin,~~  
~~for those.~~ Our employee who took care of rentals. (I got ledger)  
I informed MR McKinzy I had called

MGE & informed them that he had purchased the  
property & they should bill him.

My husband Gerald Lee never talk to the  
Gas Co' or told them to turn off service.

He is out of town & won't be back until 1-24  
in the evening & I understand this must be  
mailed before then.

Keith M. Laughlin can give you more detail.

~~He has the receipts & bills paid.~~ You  
"EXHIBIT No. 1"

17  
can reach him at his home phone 816)

353-4710 on his cell phone 816) 220

He took Mr. McKing's ✓ to a grocery store

& paid - even overpaid the bill if we recall

correctly.

Marilyn M. Lee

13413 E 51st ST.

KC Mo 64133

Ph 816) 353-4710

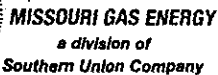
LISA R. ASKEW  
Notary Public - Notary Seal  
STATE OF MISSOURI

Jackson County

My Commission Expires: June 30<sup>th</sup>, 2003

1-24-04 Lisa Askew  
Exp 4/30/06





FOR SERVICE LOCATED AT:  
8004 OVERTON AVE  
KANSAS CITY, MO 64138-1957

\*\*\*\*\*AUTO\*\*3-DIGIT 641

**XX**

GERALD B LEE  
13413 E 51ST ST  
KANSAS CITY, MO 64133-2631

"EXHIBIT No. 2"