

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the matter of )  
USW Local 11-6, ) GC-2006-0390  
Complainant )  
and )  
Laclede Gas Company, )  
Respondent )

AFFIDAVIT OF MARILYN JEAN KESSLER

STATE OF MISSOURI )  
 ) ss  
COUNTY OF ST. LOUIS )

Union Exhibit No. 38  
Case No(s) GC-2006-0390  
Date 2-26-07 Rptr XF

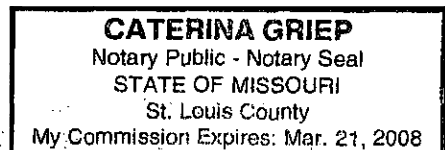
Marilyn Jean Kessler, of lawful age, on her oath states: that she has participated in the preparation of the following Direct Testimony in question and answer form, consisting of 4 pages of Direct Testimony to be presented in the above case, that the answers in the following Direct Testimony were given by her; that she has knowledge of the matters set forth in such answers; and that such matters are true to the best of her knowledge and belief.

Marilyn Jean Kessler  
Marilyn Jean Kessler

Subscribed and sworn to before me this 12<sup>th</sup> day of SEPT, 2006.

Caterina Griep  
Notary Public

My commission expires March 21, 2008



**DIRECT TESTIMONY**  
**OF**  
**MARILYN JEAN KESSLER**  
**SUBMITTED ON BEHALF OF USW 11-6**  
**LACLEDE GAS COMPANY**  
**CASE NO. GC-2006-0390**

1 Q. Please state your name and address.

2 A. My name is Marilyn Jean Kessler and my address is <sup>\*\*</sup>400 Madrina Ct., Ballwin, <sup>\*\*</sup>  
3 MO 63021.

4 Q. How did you first hear about the installation of AMR devices on gas meters  
5 by Cellnet subcontractors?

6 A. I first found out about the installation of AMR devices by Cellnet subcontractors  
7 through my husband, who is a union plumber. He told me he had heard this  
8 information from his union and from other individuals who had a nonfunctional  
9 AMR device installed in their house.

10 Q. When did Laclede notify you that an AMR device was to be installed in your  
11 home?

12 A. In mid or late March of 2006, I received a letter from Laclede stating that an  
13 AMR device would be installed on my meter. On March 23, 2006, I called  
14 Laclede and spoke with a representative named Dawn. I told her that I wanted a  
15 union gasworker to install the AMR device. She said that she would make a note

1 of this, and that within thirty to sixty days I would be notified of the specific date  
2 of the AMR installation.

3 Around one week later, I received the same AMR notification for another  
4 property I owned, <sup>\*\*</sup>409 Ries Rd. <sup>\*\*</sup> I called Laclede again to have the AMR installed  
5 by a union gasworker. Because the properties are less than one block apart, I was  
6 scheduled to have the union gasworker perform both installations on the same  
7 day.

8 **Q. Why did you ask to have a Laclede gasworker, as opposed to a Cellnet**  
9 **subcontractor, install the AMR device?**

10 A. I understand and believe that union gasworkers have substantial training not  
11 available to the Honeywell subcontractors that enable them to recognize and fix  
12 potential problems when installing the AMR device. Accordingly, I believe it is  
13 safer to have an AMR device installed on my gas meter by a union gasworker  
14 rather than by a Honeywell subcontractor.

15 **Q. Was the AMR device then installed by a union gasworker as scheduled?**

16 A. No. In early May of 2006, I heard a noise on the outside of my main residence  
17 <sup>\*\*</sup>(400 Madrina) <sup>\*\*</sup> where the gas meter is located. I went outside and saw a man in  
18 plainclothes who was taking the screws out of my meter dial. He did not wear a  
19 badge and carried a cellphone and screwdriver. I asked if he was a union  
20 gasworker and if I could see his identification. He said he was authorized by  
21 Laclede to install an AMR device on my meter. I told him that he had to stop  
22 working and leave the premises if he was not a union gasworker. He replied that  
23 the gas meter is Laclede's property and became argumentative. I then told him

1 that this house is my property and he was no longer welcome on it. He called his  
2 supervisor and told him that he had a "situation." I then asked him to have his  
3 supervisor call me on my home phone. The subcontractor then rapidly left the  
4 premises, only screwing in two of the four meter face screws.

5 I talked to the supervisor on the phone inside, and he told me that the  
6 subcontractors were authorized to perform this work. However, I replied that the  
7 subcontractors were not welcome on my property.

8 I called Laclede later that day and asked to speak with a supervisor. I was  
9 connected with a supervisor, and he told me that if I did not have the AMR device  
10 installed, I will get estimated bills and eventually I may have my gas shut off. As  
11 he had had become belligerent, I asked to speak with his supervisor.

12 I received a return call around 5:00 p.m. from the previous employee's supervisor.  
13 He said that having a union gasworker install the AMR device would cost \$76 for  
14 the first half-hour and \$1.30 for each additional minute.

15 **Q. How was the situation with the AMR device eventually resolved?**

16 A. I complained to Laclede that my gas meters looked very old, and informed them  
17 that they were required to replace outside meters every ten years. Eventually, I  
18 persuaded Laclede to have a union gasworker replace the meters on both my  
19 properties. The new meters contain built-in AMR devices.

20 **Q. Did you complain to anyone other than Laclede?**

21 A. Yes. I called the Missouri Public Service Commission the day after I ejected the  
22 Cellnet subcontractor from my property. I spoke with a woman named Gay Fred.  
23 I told her that it was unfair to charge customers to have a union employee install

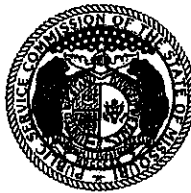
1 the AMR device. I asked her to show me where this was authorized in Laclede's  
2 tariff. Ms. Fred said that Laclede was authorized to charge for this service, but I  
3 found her to be evasive. On May 16, 2006, I received a letter from Ms. Fred with  
4 a copy of Laclede's tariff sheet #31. A true and accurate copy of this letter and  
5 tariff sheet are attached and incorporated here as Exhibit 1. The referenced page  
6 said that Laclede could make time and material charges for "miscellaneous" work  
7 requests. However, I think the installation of an AMR device is an essential  
8 function of a utility and not merely an additional request made by a customer.  
9 Furthermore, I think that it is ludicrous for Laclede to charge for materials when  
10 installing their own AMR device. Nonetheless, the PSC later sent a letter stating  
11 that my complaint had been resolved.

12 **Q. Are you an employee or member of USW Local 11-6, or to your knowledge**  
13 **are you related by blood or marriage to any USW Local 11-6 officer or**  
14 **business representative?**

15 **A. No.**

16 **Q. Does this conclude your direct testimony?**

17 **A. Yes.**



Commissioners

JEFF DAVIS  
Chairman

CONNIE MURRAY

STEVE GAW

ROBERT M. CLAYTON III

LINWARD "LIN" APPLING

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.mo.gov>

WESS A. HENDERSON  
Executive Director

DANA K. JOYCE  
Director, Administration

ROBERT SCHALLENBERG  
Director, Utility Services

WARREN WOOD  
Director, Utility Operations

COLLEEN M. DALE  
Secretary/Chief Regulatory Law Judge

KEVIN A. THOMPSON  
General Counsel

May 16, 2006

William Kessler  
\*\*400 Madrina Court\*\*  
Ballwin, MO 63021

Dear Mrs. Kessler:

This letter is in response to our telephone conversation of last Thursday 5/11/06 regarding your concern with Laclede's use of subcontractors to install the new Automated Meter Reading (AMR), devices onto your existing meter.

You stated that you had called Laclede several times requesting that a union employee conduct the installation of the new device and to conduct a meter check. In our conversation you stated that Laclede had stated that there would be cost associated for such work. I stated that Laclede does have tariffed language (see attached tariff sheet #31), which allows Laclede to charge time and material charges for miscellaneous work request. The current time and material cost on file with the Missouri Public Service Commission is as follows:

Time charges for labor in the Laclede Division of the Company will be \$76.00 for the first 30 minutes and \$1.30 for each additional minute thereafter.

In addition, I have assigned Contessa Pool-King of my staff, to continue to work on investigating your request for a union employee to investigate your gas meters at both locations and to conduct the installation of the AMRs, at no cost to you. Contessa will be communicating with you the

HC

William Kessler

Page 2 of 2

5/16/06

results of her investigation, as soon as, she receives a response from Laclede Gas regarding your concerns and her questions.

I hope you find the enclosed information useful. If you have any additional questions please feel to call us at our toll-free number 1-800-392-4211.

Sincerely,

A handwritten signature in black ink, appearing to read "Gay Fred", written over the word "Sincerely,".

Gay Fred  
Consumer Services Manager

cc: Contessa Pool-King

Enc.

P.S.C. MO. No. 5 Consolidated, Tenth Revised Sheet No. 31  
CANCELLING P.S.C. MO. No. 5 Consolidated, Ninth Revised Sheet No. 31

Laclede Gas Company  
Name of Issuing Corporation or Municipality

For Refer to Sheet No. 1  
Community, Town or City

**SCHEDULE OF RATES**

**COLLECTION TRIP CHARGE**

The collection trip charge as described in Rule No. 23 of this tariff shall be as follows:

Collection Trip Charge ..... \$9.00

**RETURNED PAYMENT CHARGE**

A charge shall be assessed for any check or electronic payment submitted to the Company by or on behalf of a customer whenever such payment has been returned by the financial institution through which such payment was to have been made.

Returned Payment Charge ..... \$15.00

**SERVICE AND METER RELOCATION CHARGES**

The charges for changing the location of a customer's service pipe or meter at the customer's request, as described in Rule No. 11 of this tariff, shall be as follows:

**Residential**

Relocate outside meter assembly	\$150.00
Move inside meter to outside	\$250.00
Move inside meter to a new inside location	\$100.00
Adjust height of meter assembly due to a grade change	\$125.00
Temporarily disconnect service line	\$ 60.00
Relocate or extend a service line:	
0 to 10 feet	\$120.00
11 to 20 feet	\$180.00
21 to 30 feet	\$230.00
31 to 40 feet	\$270.00
41 to 50 feet	\$300.00
Over 50 feet	\$300.00 plus \$5.00 per foot
Miscellaneous	Time and material

**Commercial and Industrial**

Time and material

The above relocation charges shall be included in the customer's bill for gas service or in a separate billing and may be paid in installments, at the customer's option, over a period of up to three months with no interest or finance costs.

DATE OF ISSUE August 31, 2005  
Month Day Year

DATE EFFECTIVE October 1, 2005  
Month Day Year

ISSUED BY K.J. Neises, Executive Vice President, 720 Olive St., St. Louis, MO 63101  
Name of Officer Title Address

GR-2005-0284

**FILED**  
**NO PSC**



720 OLIVE  
STL 63101

\*

3/23 T/W DAWN

3/31 AM GAS

\*

3/30/06 Devin

AMR  
appoint



Laclede Gas

some came out 3/29/06

& Chg'd to

Christine Frutke

adv She doesn't own property + to Chg BACK

Dear Customer,

We value your business and are committed to providing you with a high level of customer service. As part of this continuing commitment, we are currently working to improve the way we read gas meters. A contractor for Laclede Gas Company will be in your area within the next 30 to 45 days to install a new gas Automated Meter Reading (AMR) device on the meter at your location. With this system, we will no longer need to gain physical access to meters in order to obtain monthly readings, virtually eliminating situations in which we have previously found it necessary to estimate customer bills.

A typical installation takes about 15 minutes to complete and will not disrupt your gas service. There is no additional cost to you for the installation of this device. All installers will carry Laclede Gas Company contractor identification cards.

If you have an outside meter that is not blocked or obstructed, it will not be necessary for you to be home at the time of the installation. If you have an inside meter, we will initially attempt to perform the installation without scheduling an appointment with you. Whether you have an inside or outside meter, if it is not accessible when an installer arrives, a door hanger will be left indicating a phone number for you to call to schedule an appointment. If you have any questions, please refer to the enclosed flyer for answers to frequently asked questions, check out the AMR link on the Laclede Gas web site at [www.lacledegas.com](http://www.lacledegas.com), or call 314-621-6960

**This letter is for notification purposes only. There is no need to contact Laclede Gas Company at this time.**

We appreciate your cooperation and assure you that our objective is your complete satisfaction.

Sincerely,

Laclede Gas Company